RESOLUTIONS

and

DECISIONS

adopted by the General Assembly
during its
FORTY-FIFTH SESSION

Volume I

18 September – 21 December 1990

GENERAL ASSEMBLY

OFFICIAL RECORDS: FORTY-FIFTH SESSION
SUPPLEMENT No. 49 A (A/45/49)

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UNITED NATIONS
New York, 1991

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The resolutions and decisions of the General Assembly are identified as follows:

Regular sessions

Until the thirtieth regular session, the resolutions of the General Assembly were identified by an arabic numeral followed by a roman numeral in parentheses indicating the session (for example: resolution 3363 (XXX)). When several resolutions were adopted under the same number, each of them was identified by a capital letter placed between the two numerals (for example: resolution 3367 A (XXX), resolutions 3411 A and B (XXX), resolutions 3419 A to D (XXX)). The decisions were not numbered.

Since the thirty-first session, as part of the new system adopted for symbols of General Assembly documents, resolutions and decisions have been identified by an arabic numeral, indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution 31/1, decision 31/301). When several resolutions or decisions were adopted under the same number, each of them has been identified by a capital letter placed after the two numerals (for example: resolution 31/16 A, resolutions 31/6 A and B, decisions 31/406 A to E).

Special sessions

Until the seventh special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letter "S" and a roman numeral indicating the session (for example: resolution 3362 (S-VII)). The decisions were not numbered.

Since the eighth special session, resolutions and decisions have been identified by the letter "S" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution S-8/1, decision S-8/11).

Emergency special sessions

Until the fifth emergency special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letters "ES" and a roman numeral indicating the session (for example: resolution 2252 (ES-V)). The decisions were not numbered.

Since the sixth emergency special session, resolutions and decisions have been identified by the letters "ES" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution ES-6/1, decision ES-6/11).

In each of the series described above, the numbering follows the order of adoption.

* * *

The present volume contains the resolutions and decisions adopted by the General Assembly from 18 September to 21 December 1990. Any further resolutions or decisions which the Assembly may adopt at its forty-fifth session will appear in a second volume.

The present volume also contains a list indicating the allocation of agenda items (sect. I), a list of principal and subsidiary organs with a reference to their composition (annex I), a list of conventions, declarations and other instruments (annex II), an index (annex III) and a check-list of resolutions and decisions (annex IV).

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I. ALLOCATION OF AGENDA ITEMS[1]

Plenary meetings

1. Opening of the session by the Chairman of the delegation of Nigeria (item 1).
2. Minute of silent prayer or meditation (item 2).
3. Credentials of representatives to the forty-fifth session of the General Assembly (item 3):
    - (*a*) Appointment of the members of the Credentials Committee;
    - (*b*) Report of the Credentials Committee.
4. Election of the President of the General Assembly (item 4).
5. Election of the officers of the Main Committees (item 5).
6. Election of the Vice-Presidents of the General Assembly (item 6).
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations (item 7).
8. Adoption of the agenda and organization of work: reports of the General Committee (item 8).
9. General debate (item 9).
10. Report of the Secretary-General on the work of the Organization (item 10).
11. Report of the Security Council (item 11).
12. Report of the Economic and Social Council (chapters I, III (section B), IV (section A), VII and VIII) (item 12).[2]
13. Report of the International Court of Justice (item 13).
14. Report of the International Atomic Energy Agency (item 14).[3]
15. Elections to fill vacancies in principal organs (item 15):
    - (*a*) Election of five non-permanent members of the Security Council;
    - (*b*) Election of eighteen members of the Economic and Social Council;
    - (*c*) Election of five members of the International Court of Justice.
16. Elections to fill vacancies in subsidiary organs and other elections (item 16):
    - (*a*) Election of twelve members of the World Food Council;
    - (*b*) Election of twenty members of the Committee for Programme and Coordination;
    - (*c*) Election of a member of the Governing Council of the United Nations Environment Programme;[4]

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[1] At its 3rd, 13th, 30th, 65th and 71st plenary meetings, on 21 and 28 September, 15 October and 11 and 21 December 1990, the General Assembly adopted the agenda and the allocation of agenda items for its forty-fifth session (see section X.B.1, decision 45/402). Unless otherwise indicated, all the items formed part of the agenda and of the allocation of agenda items recommended by the General Committee in its first report (A/45/250, paras. 25-36) and adopted by the Assembly at its 3rd plenary meeting. The Assembly decided, on the recommendation of the Committee as set forth in its first report (A/45/250, para. 35 (*a*) (iv)), to defer a decision on the allocation of item 43 (Question of Cyprus) to an appropriate time during the session. For the numerical list of agenda items, see annex III.

[2] For chapter I, see also "Second Committee", item 1, "Third Committee", item 1, "Fourth Committee", item 4, and "Fifth Committee", item 20; for chapter III (sect. B), see also "Second Committee", "Third Committee" and "Fifth Committee"; for chapter IV (sect. A), see also "Second Committee"; and for chapter VIII, see also "Second Committee" and "Third Committee".

[3] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*b*) (i)), decided that the relevant paragraphs of the report of the International Atomic Energy Agency for 1989 (see A/45/371) would be drawn to the attention of the First Committee in connection with its consideration of agenda item 56.

[4] At its 65th plenary meeting, on 11 December 1990, the General Assembly, on the proposal of the Secretary-General (A/45/237), decided to include sub-item 16 (*c*) in its agenda and to consider it directly in plenary meeting.

   (*d*) Election of the United Nations High Commissioner for Refugees.[5]

17. Appointments to fill vacancies in subsidiary organs (item 17):[6]
    (*g*) Appointment of members of the Committee on Conferences;
    (*i*) Appointment of a member of the Consultative Committee on the United Nations Development Fund for Women.[7]
18. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18).[8]
19. Admission of new Members to the United Nations (item 19).
20. Co-operation between the United Nations and the Asian-African Legal Consultative Committee (item 20).
21. Co-operation between the United Nations and the Organization of American States (item 21).
22. Implementation of the Declaration on the Right of Peoples to Peace (item 22).
23. Question of Palestine (item 23).
24. Co-operation between the United Nations and the Latin American Economic System (item 24).
25. Co-operation between the United Nations and the League of Arab States (item 25).
26. Co-operation between the United Nations and the Organization of the Islamic Conference (item 26).
27. Question of the Comorian island of Mayotte (item 27).
28. The situation in Central America: threats to international peace and security and peace initiatives (item 28).
29. The situation in Afghanistan and its implications for international peace and security (item 29).
30. Co-operation between the United Nations and the Organization of African Unity (item 30).
31. Zone of peace and co-operation of the South Atlantic (item 31).
32. The situation in Cambodia (item 32).
33. Law of the sea (item 33).
34. Policies of *apartheid* of the Government of South Africa (item 34).[9]
35. The situation in the Middle East (item 35).
36. Question of the Falkland Islands (Malvinas) (item 36).[10]
37. Question of peace, stability and co-operation in South-East Asia (item 37).

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[5] At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the proposal of the Secretary-General (A/45/239, para. 4), decided to include sub-item 16 (*d*) in its agenda, to consider it directly in plenary meeting and to amend the title of item 16 accordingly.

[6] For sub-items (*a*) to (*f*) and (*h*), see "Fifth Committee", item 21.

[7] At its 65th plenary meeting, on 11 December 1990, the General Assembly, on the proposal of the Secretary-General (A/45/238), decided to include sub-item 17 (*i*) in its agenda and to consider it directly in plenary meeting.

[8] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*a*) (i)), decided to refer to the Fourth Committee the chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/45/23) relating to specific Territories so that the Assembly might deal in plenary meeting with the question of the implementation of the Declaration as a whole. The Assembly also decided to hold a commemorative plenary meeting on Thursday, 11 October, in the morning to observe the thirtieth anniversary of the Declaration.

[9] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*a*) (ii)), decided to consider this item directly in plenary meeting, on the understanding that the representatives of the Organization of African Unity and of national liberation movements recognized by that organization would be permitted to participate in the discussion in plenary meeting and that organizations and individuals having a special interest in the question would be permitted to be heard by the Special Political Committee.

[10] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*a*) (iii)), decided to consider this item directly in plenary meeting, on the understanding that bodies and individuals having an interest in the question would be heard in the Fourth Committee in conjunction with the consideration of the item in plenary meeting.

38. Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986 (item 38).
39. Implementation of the resolutions of the United Nations (item 39).
40. Launching of global negotiations on international economic co-operation for development (item 40).
41. Question of equitable representation on and increase in the membership of the Security Council (item 41).
42. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security (item 42).
43. Consequences of the prolongation of the armed conflict between Iran and Iraq (item 44).
44. Observer status for the International Committee of the Red Cross, in consideration of the special role and mandates conferred upon it by the Geneva Conventions of 12 August 1949 (item 149).
45. Tenth anniversary of the University for Peace (item 150).
46. Ceremony for the presentation of the Declaration and Plan of Action adopted by world leaders at the World Summit for Children (item 151).[11]
47. Critical economic situation in Africa (item 152):
    - (*a*) United Nations Programme of Action for African Economic Recovery and Development 1986-1990;
    - (*b*) Report of the United Nations Secretary-General's Expert Group on African Commodity Problems;
    - (*c*) African Charter for Popular Participation in Development and Transformation.
48. Iraqi aggression and the continued occupation of Kuwait in flagrant violation of the Charter of the United Nations (item 153).
49. Review of the efficiency of the administrative and financial functioning of the United Nations (item 117).[12]
50. Electoral assistance to Haiti (item 154).[13]

First Committee

(DISARMAMENT AND RELATED INTERNATIONAL SECURITY QUESTIONS)

1. Implementation of General Assembly resolution 44/104 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) (item 45).
2. Cessation of all nuclear-test explosions (item 46).
3. Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (item 47).
4. Urgent need for a comprehensive nuclear-test-ban treaty (item 48).

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[11] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*a*) (vii)), decided that the item would be considered directly in plenary meeting and that the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s would be presented to the Assembly at a ceremony to be held on 1 October 1990, at 9.30 a.m.

[12] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*c*) (i)), decided to allocate this item to the Fifth Committee, on the understanding that the report on the United Nations intergovernmental structure and functions in the economic and social fields would be considered directly in plenary meeting and that such a decision would in no way prejudge the arrangements to be made for the future consideration of the item.

[13] At its 13th plenary meeting, on 28 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its second report (A/45/250/Add.1, para. 2), decided to include this item in its agenda and to consider it directly in plenary meeting.

5. Establishment of a nuclear-weapon-free zone in the region of the Middle East (item 49).
6. Establishment of a nuclear-weapon-free zone in South Asia (item 50).
7. Conclusion of effective international arrangements on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons (item 51).
8. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (item 52).
9. Prevention of an arms race in outer space (item 53).
10. Implementation of the Declaration on the Denuclearization of Africa (item 54).
11. Chemical and bacteriological (biological) weapons (item 55).
12. General and complete disarmament (item 56):[3]
    (*a*) Notification of nuclear tests;
    (*b*) Comprehensive United Nations study on nuclear weapons;
    (*c*) Prohibition of the development, production, stockpiling and use of radiological weapons;
    (*d*) Conventional disarmament;
    (*e*) Nuclear disarmament;
    (*f*) Objective information on military matters;
    (*g*) Prohibition of the production of fissionable material for weapons purposes;
    (*h*) Relationship between disarmament and development;
    (*i*) Naval armaments and disarmament;
    (*j*) International arms transfers;
    (*k*) Defensive security concepts and policies;
    (*l*) Review of the role of the United Nations in the field of disarmament;
    (*m*) Prohibition of the dumping of radioactive wastes;
    (*n*) Conventional disarmament on a regional scale.
13. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly (item 57):
    (*a*) World Disarmament Campaign;
    (*b*) Convention on the Prohibition of the Use of Nuclear Weapons;
    (*c*) Nuclear-arms freeze;
    (*d*) United Nations disarmament fellowship, training and advisory services programme;
    (*e*) United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean.
14. Scientific and technological developments and their impact on international security (item 58).
15. Science and technology for disarmament (item 59).
16. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session (item 60):
    (*a*) Report of the Disarmament Commission;
    (*b*) Report of the Conference on Disarmament;
    (*c*) Status of multilateral disarmament agreements;
    (*d*) Advisory Board on Disarmament Matters;
    (*e*) United Nations Institute for Disarmament Research;
    (*f*) Review and appraisal of the implementation of the Declaration of the 1980s as the Second Disarmament Decade;

(*g*) Implementation of the guidelines for appropriate types of confidence-building measures;

(*h*) Non-use of nuclear weapons and prevention of nuclear war;

(*i*) Cessation of the nuclear-arms race and nuclear disarmament;

(*j*) Prevention of nuclear war;

(*k*) Declaration of the 1990s as the Third Disarmament Decade.

17. Implementation of the Declaration of the Indian Ocean as a Zone of Peace (item 61).
18. Israeli nuclear armament (item 62).
19. Education and information for disarmament (item 63).
20. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (item 64).
21. Special sessions on disarmament (item 65).
22. Verification in all its aspects (item 66).
23. Question of Antarctica (item 67).
24. Strengthening of security and co-operation in the Mediterranean region (item 68).
25. Review of the implementation of the Declaration on the Strengthening of International Security (item 69).
26. Implementation of the Declaration on the Preparation of Societies for Life in Peace (item 70).
27. Report of the Economic and Social Council (chapter III (section D)) (item 12).[14]
28. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament (item 155).[15]

Special Political Committee

1. Science and peace (item 71).
2. Effects of atomic radiation (item 72).
3. International co-operation in the peaceful uses of outer space (item 73).
4. United Nations Relief and Works Agency for Palestine Refugees in the Near East (item 74).
5. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (item 75).
6. Comprehensive review of the whole question of peace-keeping operations in all their aspects (item 76).
7. Questions relating to information (item 77).
8. Question of the composition of the relevant organs of the United Nations (item 78).
9. Policies of *apartheid* of the Government of South Africa (item 34).[9]

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[14] For chapter III (sect. D), see also "Second Committee", item 1.

[15] At its 30th plenary meeting, on 15 October 1990, the General Assembly, on the proposal of the Secretary-General (A/45/235), decided to include this item in its agenda and to allocate it to the First Committee.

Second Committee

(ECONOMIC AND FINANCIAL QUESTIONS)

1. Report of the Economic and Social Council (chapters I, II, III (sections B to D and F), IV (sections A to C), VI (sections A, B and D to F) and VIII) (item 12).[16]
2. Development and international economic co-operation (item 79):
    (*a*) International development strategy for the fourth United Nations development decade (1991-2000);
    (*b*) Trade and development;
    (*c*) Review and appraisal of the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries;[17]
    (*d*) Food problems;
    (*e*) New and renewable sources of energy;
    (*f*) Development of the energy resources of developing countries.
3. United Nations Conference on Environment and Development (item 80).
4. Protection of global climate for present and future generations of mankind (item 81).
5. International co-operation for the eradication of poverty in developing countries (item 82).
6. External debt crisis and development (item 83).
7. Operational activities for development (item 84):[18]
    (*a*) Operational activities of the United Nations system;[19]
    (*b*) United Nations Development Programme;
    (*c*) United Nations Population Fund;
    (*d*) United Nations Children's Fund;
    (*e*) World Food Programme.
8. Training and research (item 85):
    (*a*) United Nations Institute for Training and Research;
    (*b*) United Nations University.
9. Special economic and disaster relief assistance (item 86):
    (*a*) Office of the United Nations Disaster Relief Co-ordinator;
    (*b*) Special programmes of economic assistance.
10. International assistance for the economic rehabilitation of Angola (item 87).
11. Implementation of the commitments and policies for international development co-operation agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries (item 148).

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[16] For chapter I, see also "Plenary meetings", item 12, "Third Committee", item 1, "Fourth Committee", item 4, and "Fifth Committee", item 20; for chapter III (sect. B), see also "Plenary meetings", "Third Committee" and "Fifth Committee"; for chapter III (sect. D), see also "First Committee", item 27; for chapter IV (sect. A), see also "Plenary meetings"; for chapter VI (sect. B), see also "Fifth Committee"; for chapter VI (sect. D), see also "Fourth Committee"; for chapter VI (sect. F), see also "Third Committee"; and for chapter VIII, see also "Plenary meetings" and "Third Committee".

[17] At its 30th plenary meeting, on 15 October 1990, the General Assembly decided that the debate on this sub-item would be held directly in plenary meeting, on the understanding that appropriate action thereon would be taken by the Second Committee.

[18] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*d*)), decided that the report of the Administrator of the United Nations Development Programme on the operations, management and budget of the United Nations Development Fund for Women would be referred to the Second Committee for consideration under item 84.

[19] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*c*)), decided that a plenary meeting would be held on Wednesday, 24 October 1990, to observe the fortieth anniversary of multilateral technical co-operation for development within the United Nations system.

Third Committee

(SOCIAL, HUMANITARIAN AND CULTURAL QUESTIONS)

1. Report of the Economic and Social Council (chapters I, III (sections A, B and E), V, VI (sections C and F) and VIII) (item 12).[20]
2. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa (item 88).
3. Effective implementation of United Nations instruments on human rights and effective functioning of bodies established pursuant to such instruments (item 89).
4. World social situation (item 90).
5. Elimination of all forms of racial discrimination (item 91).
6. Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons (item 92).
7. Human rights and scientific and technological developments (item 93).
8. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms (item 94).
9. New international humanitarian order (item 95).
10. Policies and programmes involving youth (item 96).
11. Implementation of the Convention on the Rights of the Child (item 97).
12. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (item 98).
13. Question of aging (item 99).
14. Crime prevention and criminal justice (item 100).
15. Elimination of all forms of discrimination against women (item 101).
16. Forward-looking strategies for the advancement of women to the year 2000 (item 102).[18]
17. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights (item 103).
18. International Year of the Family (item 104).
19. International Covenants on Human Rights (item 105).
20. Elimination of all forms of religious intolerance (item 106).
21. Office of the United Nations High Commissioner for Refugees (item 107).
22. International action to combat drug abuse and illicit trafficking (item 108).
23. Torture and other cruel, inhuman or degrading treatment or punishment (item 109).
24. Enhancing the effectiveness of the principle of periodic and genuine elections (item 110).

Fourth Committee

(QUESTIONS RELATING TO NON-SELF-GOVERNING TERRITORIES)

1. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (item 111).
2. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to

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[20] For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Fourth Committee", item 4, and "Fifth Committee", item 20; for chapter III (sect. B), see also "Plenary meetings", "Second Committee" and "Fifth Committee"; for chapter VI (sect. C), see also "Fifth Committee"; for chapter VI (sect. F), see also "Second Committee"; and for chapter VIII, see also "Plenary meetings" and "Second Committee".

eliminate colonialism, *apartheid* and racial discrimination in southern Africa (item 112).

3. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (item 113).
4. Report of the Economic and Social Council (chapters I and VI (section D)) (item 12).[21]
5. United Nations Educational and Training Programme for Southern Africa (item 114).
6. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (item 115).
7. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18).[8]
8. Question of the Falkland Islands (Malvinas) (item 36).[10]

Fifth Committee

(ADMINISTRATIVE AND BUDGETARY QUESTIONS)

1. Financial reports and audited financial statements, and reports of the Board of Auditors (item 116):
    (*a*) United Nations;
    (*b*) United Nations Development Programme;
    (*c*) United Nations Children's Fund;
    (*d*) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
    (*e*) United Nations Institute for Training and Research;
    (*f*) Voluntary funds administered by the United Nations High Commissioner for Refugees;
    (*g*) Fund of the United Nations Environment Programme;
    (*h*) United Nations Population Fund;
    (*i*) United Nations Habitat and Human Settlements Foundation.
2. Review of the efficiency of the administrative and financial functioning of the United Nations (item 117).[12]
3. Programme budget for the biennium 1990-1991 (item 118).
4. Programme planning (item 119).
5. Current financial crisis of the United Nations (item 120).
6. Financial emergency of the United Nations (item 121).
7. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency (item 122).
8. Joint Inspection Unit (item 123).[22]
9. Pattern of conferences (item 124).
10. Scale of assessments for the apportionment of the expenses of the United Nations (item 125).
11. Personnel questions (item 126):
    (*a*) Composition of the Secretariat;
    (*b*) Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations;
    (*c*) Other personnel questions.
12. United Nations common system (item 127).

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[21] For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Third Committee", item 1, and "Fifth Committee", item 20; and for chapter VI (sect. D), see also "Second Committee", item 1.

[22] At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee as set forth in its first report (A/45/250, para. 35 (*e*) (ii)), decided to allocate the item to the Fifth Committee, on the understanding that the reports of the Joint Inspection Unit dealing with subject-matters assigned to other Main Committees would be referred also to those Committees.

13. United Nations pension system (item 128).
14. Financing of the United Nations peace-keeping forces in the Middle East (item 129):
    (*a*) United Nations Disengagement Observer Force;
    (*b*) United Nations Interim Force in Lebanon.
15. Financing of the United Nations Iran-Iraq Military Observer Group (item 130).
16. Financing of the United Nations Angola Verification Mission (item 131).
17. Financing of the United Nations Transition Assistance Group (item 132).
18. Financing of the United Nations Observer Group in Central America (item 133).
19. Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations (item 134).
20. Report of the Economic and Social Council (chapters I, III (section B) and VI (sections B and C)) (item 12).[23]
21. Appointments to fill vacancies in subsidiary organs (item 17): [24]
    (*a*) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions;
    (*b*) Appointment of members of the Committee on Contributions;
    (*c*) Appointment of a member of the Board of Auditors;
    (*d*) Confirmation of the appointment of members of the Investments Committee;
    (*e*) Appointment of members of the United Nations Administrative Tribunal;
    (*f*) International Civil Service Commission:
        (i) Appointment of members of the Commission;
        (ii) Designation of the Chairman and Vice-Chairman of the Commission;
    (*h*) Appointment of an alternate member of the United Nations Staff Pension Committee.

Sixth Committee

(LEGAL QUESTIONS)

1. Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States (item 135).
2. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (item 136).
3. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (item 137).
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7. Report of the United Nations Commission on International Trade Law on the work of its twenty-third session (item 141).
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[23] For chapter I, see also "Plenary meetings", item 12, "Second Committee", item 1, "Third Committee", item 1, and "Fourth Committee", item 4; for chapter III (sect. B), see also "Plenary meetings", "Second Committee", and "Third Committee"; for chapter VI (sect. B), see also "Second Committee"; and for chapter VI (sect. C), see also "Third Committee".

[24] For sub-items (*g*) and (*i*), see "Plenary meetings", item 17.

10. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (item 144).
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II. RESOLUTIONS ADOPTED WITHOUT REFERENCE TO A MAIN COMMITTEE[1]

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[1] For the decisions adopted without reference to a Main Committee, see sect. X.B.1.

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45/1. Admission of the Principality of Liechtenstein to membership in the United Nations

The General Assembly,

Having received the recommendation of the Security Council of 14 August 1990 that the Principality of Liechtenstein should be admitted to membership in the United Nations,[2]

Having considered the application for membership of the Principality of Liechtenstein,[3]

Decides to admit the Principality of Liechtenstein to membership in the United Nations.

1st plenary meeting
18 September 1990

45/2. Electoral assistance to Haiti

The General Assembly,

Taking note of the letters dated 23 June[4] and 9 August 1990[5] from the President of the Provisional Government of the Republic of Haiti to the Secretary-General, in which the President requested assistance from the United Nations in order to achieve the peaceful and efficient development of the coming electoral process,

Reaffirming the sovereign right of the people of Haiti to choose and participate freely in the determination of their own destiny without any external interference,

Aware of the efforts of the people of Haiti to consolidate their democratic institutions in the face of the potential for destabilization,

1. *Requests* the Secretary-General, in co-operation with regional organizations and Member States, to provide the broadest possible support to the Government of Haiti in meeting, to the extent possible, the following requests:

(*a*) A nucleus of some fifty observers that would arrive in Haiti prior to voter registration and would leave only after the elections;

(*b*) Reinforcement of the nucleus at the time of elections and voter registration, bringing the total to a few hundred observers;

(*c*) Assistance to the Co-ordinating Committee for the security of the elections, to be provided by two or three advisers;

(*d*) Observation of the implementation of the electoral security plans by specialized staff, that is, by observers, the number of whom remains to be determined, with solid experience in the public order field;

2. *Urges* the international community and relevant international organizations to increase their technical, economic and financial co-operation with Haiti, in order to support the economic and social development efforts of the country;

3. *Requests* the Secretary-General to submit to the General Assembly a report on the implementation of the present resolution.

29th plenary meeting
10 October 1990

45/3. The situation in Cambodia

The General Assembly,

Having considered the item entitled "The situation in Cambodia",

Convinced that an early, just and durable solution of the Cambodia conflict achieved through national reconciliation among the Cambodian parties free from external interference, within the framework for a comprehensive political settlement, will contribute to regional and international peace and security,

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[2] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 19, document A/45/419.

[3] *Ibid.*, document A/45/408-S/21486.

[4] A/44/965 and Corr.1, annex.

[5] A/44/973, annex II.

Noting that the Jakarta informal meetings on Cambodia have made a significant contribution towards achieving a comprehensive settlement,

Also noting that the Paris Conference on Cambodia, which met from 30 July to 30 August 1989, made progress in elaborating a wide variety of elements necessary for reaching a comprehensive political settlement,

Welcoming Security Council resolution 668 (1990) of 20 September 1990,

Welcoming also an enhanced role for the United Nations in Cambodia and the continuing efforts of the Secretary-General within the framework for a comprehensive political settlement,

Recognizing that international humanitarian assistance has alleviated the suffering of the Cambodian people, particularly those who have sought temporary refuge in neighbouring countries,

Taking note of the report of the Secretary-General[6] and the progress towards a comprehensive political settlement,

1. *Reiterates* the urgent need for a comprehensive political settlement as outlined in the framework for a comprehensive political settlement of the Cambodia conflict,[7] which has been endorsed by the Security Council in its resolution 668 (1990) and which the Paris Conference on Cambodia is called upon to elaborate and adopt;

2. *Welcomes* the acceptance of this framework in its entirety by all the Cambodian parties, as the basis for settling the Cambodia conflict, at the informal meeting of the Cambodian parties in Jakarta on 10 September 1990 and their commitment to it;

3. *Also welcomes* the commitment of the Cambodian parties, in full co-operation with all other participants in the Paris Conference on Cambodia, to elaborating this framework into a comprehensive political settlement through the processes of the Conference;

4. *Welcomes,* in particular, the agreement reached by all Cambodian parties in Jakarta[8] forming a Supreme National Council as the unique legitimate body and source of authority in which, throughout the transitional period, the independence, national sovereignty and unity of Cambodia is embodied;

5. *Notes* that the Supreme National Council will therefore represent Cambodia externally and occupy the seat of Cambodia at the United Nations, in the United Nations specialized agencies and in other international institutions and international conferences;

6. *Urges* that, in working towards the goal of a comprehensive political settlement, the Cambodian leaders should co-operate in assuming their responsibilities in order to achieve national reconciliation;

7. *Also urges* all parties to the conflict to exercise maximum self-restraint so as to create the peaceful climate required to facilitate the achievement and the implementation of a comprehensive political settlement;

8. *Calls upon* the Co-Presidents of the Paris Conference on Cambodia to intensify their consultations with a view to reconvening the Conference, whose task will be to elaborate and adopt the comprehensive political settlement and draw up a detailed plan of implementation in accordance with the framework for a comprehensive political settlement;

9. *Stresses* that an enhanced role for the United Nations in Cambodia, charged with a clear and practical mandate, would help achieve the goal of the exercise of the right to self-determination for the Cambodian people through free and fair elections organized and conducted by the United Nations in a neutral political environment with full respect for the national sovereignty of Cambodia;

10. *Encourages* the Secretary-General to continue, within the context of preparations for reconvening the Paris Conference on Cambodia and on the basis of the present resolution, preparatory studies to assess the resource implications, timing and other considerations relevant to the role of the United Nations;

11. *Reiterates its deep appreciation* to the Secretary-General for his efforts in co-ordinating humanitarian relief assistance and in monitoring its distribution, and requests him to intensify such efforts as necessary;

12. *Expresses its deep appreciation* once again to donor countries, the United Nations and its agencies and other national and international humanitarian organizations that have rendered assistance to the Cambodian people and appeals to them to provide financial and material resources for the speedy repatriation and rehabilitation of Cambodian displaced persons as well as for the economic and social reconstruction of Cambodia;

13. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "The situation in Cambodia".

30th plenary meeting
15 October 1990

45/4. Co-operation between the United Nations and the Asian-African Legal Consultative Committee

The General Assembly,

Recalling its resolutions 36/38 of 18 November 1981, 37/8 of 29 October 1982, 38/37 of 5 December 1983, 39/47 of 10 December 1984, 40/60 of 9 December 1985, 41/5 of 17 October 1986 and 43/1 of 17 October 1988,

Having considered the report of the Secretary-General on the state of co-operation between the United Nations and the Asian-African Legal Consultative Committee,[9]

Having heard the statement made on 16 October 1990 by the Secretary-General of the Asian-African Legal Consultative Committee on the steps taken by the Consultative Committee to ensure continuing, close and effective co-operation between the two organizations,[10]

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[6] A/45/605.

[7] See A/45/472-S/21689, annex, appendix; see *Official Records of the Security Council, Forty-fifth Year, Supplement for July, August and September 1990,* document S/21689.

[8] A/45/490-S/21732, annex; see *Official Records of the Security Council, Forty-fifth Year, Supplement for July, August and September 1990,* document S/21732.

[9] A/45/504.

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Notes with appreciation* the continuing efforts of the Asian-African Legal Consultative Committee towards strengthening the role of the United Nations and its various organs, including the International Court of Justice, through programmes and initiatives undertaken by the Consultative Committee;

3. *Notes with satisfaction* the commendable progress achieved towards enhancing co-operation between the United Nations and the Consultative Committee in wider areas;

4. *Notes with appreciation* the decision of the Consultative Committee to participate actively in the programmes of the United Nations Decade of International Law;

5. *Requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on co-operation between the United Nations and the Consultative Committee;

6. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee".

31st plenary meeting
16 October 1990

45/5. Co-operation between the United Nations and the Latin American Economic System

The General Assembly,

Recalling its resolution 44/4 of 17 October 1989 on co-operation between the United Nations and the Latin American Economic System,

Having considered the report of the Secretary-General on co-operation between the United Nations and the Latin American Economic System,[11]

Taking into account decision 302 of 7 September 1990 on co-operation between the United Nations and the Latin American Economic System, adopted at the sixteenth regular session of the Latin American Council, in which it approved the signature of an agreement between the United Nations and the Latin American Economic System and it authorized the Permanent Secretary to sign the above-mentioned agreement on behalf of the Latin American Economic System,

Considering that the Economic Commission for Latin America and the Caribbean has developed close ties of co-operation with the Latin American Economic System which have improved the satisfactory co-ordination of their activities during the last year,

Bearing in mind that the Permanent Secretariat of the Latin American Economic System has carried out several programmes with the support of the United Nations Development Programme in areas that are considered of priority for the economic development of the region,

Considering also that the Latin American Economic System is developing joint activities with specialized agencies and other bodies and programmes of the United Nations system, such as the United Nations Conference on Trade and Development, the United Nations Educational, Scientific and Cultural Organization, the United Nations Industrial Development Organization, the World Meteorological Organization, the World Health Organization, the World Intellectual Property Organization, the United Nations Environment Programme, the United Nations Centre on Transnational Corporations, the Office of the United Nations Disaster Relief Co-ordinator, the United Nations Institute for Training and Research and the International Telecommunication Union,

1. *Takes note with satisfaction* of the report of the Secretary-General;

2. *Expresses satisfaction* with decision 302 of the Latin American Council of the Latin American Economic System;

3. *Urges* the Economic Commission for Latin America and the Caribbean to continue broadening and deepening its co-ordination and mutual support activities with the Latin American Economic System;

4. *Urges* the United Nations Development Programme to strengthen and broaden its support to the programmes that the Permanent Secretariat of the Latin American Economic System is carrying out;

5. *Urges* the specialized agencies and other organizations and programmes of the United Nations system to continue and intensify their support for and co-operation with the activities of the Latin American Economic System;

6. *Requests* the Secretary-General of the United Nations to promote, in close collaboration with the Permanent Secretary of the Latin American Economic System, the holding of a meeting in 1991 between their respective secretariats, with the aim of identifying those areas in which it will be possible to broaden co-operation between the United Nations system and the Latin American Economic System;

7. *Requests* both the Secretary-General of the United Nations and the Permanent Secretary of the Latin American Economic System to continue consultations with a view to signing, as soon as possible, an agreement of co-operation between the United Nations and the Latin American Economic System;

8. *Also requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

31st plenary meeting
16 October 1990

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[10] See *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings*, 31st meeting (A/45/PV.31).

[11] A/45/514.

45/6. Observer status for the International Committee of the Red Cross, in consideration of the special role and mandates conferred upon it by the Geneva Conventions of 12 August 1949

The General Assembly,

Recalling the mandates conferred upon the International Committee of the Red Cross by the Geneva Conventions of 12 August 1949,[12]

Considering the special role carried on accordingly by the International Committee of the Red Cross in international humanitarian relations,

Desirous of promoting co-operation between the United Nations and the International Committee of the Red Cross,

1. *Decides* to invite the International Committee of the Red Cross to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

31st plenary meeting
16 October 1990

45/7. Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency to the General Assembly for the year 1989,[13]

Taking note of the statement of the Director General of the International Atomic Energy Agency of 23 October 1990,[14] which provides additional information on the main developments in the Agency's activities during 1990,

Recognizing the importance of the work of the Agency to promote further the application of atomic energy for peaceful purposes, as envisaged in its statute,

Also recognizing the special needs of the developing countries for technical assistance by the Agency in order to benefit effectively from the application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development,

Conscious of the importance of the work of the Agency in the implementation of safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons[15] and other international treaties, conventions and agreements designed to achieve similar objectives, as well as in ensuring, as far as it is able, that the assistance provided by the Agency or at its request or under its supervision or control is not used in such a way as to further any military purpose, as stated in article II of its statute,

Further recognizing the importance of the work of the Agency on nuclear power, nuclear safety, radiological protection and radioactive waste management, including its work directed towards assisting developing countries in planning for the introduction of nuclear power in accordance with their needs,

Again stressing the need for the highest standards of safety in the design and operation of nuclear plants so as to minimize risks to life, health and the environment,

Bearing in mind resolutions GC(XXXIV)/RES/526 on Israeli nuclear capabilities and threat, GC(XXXIV)/RES/529 on measures to strengthen international co-operation in matters relating to nuclear safety and radiological protection, GC(XXXIV)/RES/530 on the Code of Practice on the International Transboundary Movement of Radioactive Waste, GC(XXXIV)/RES/531 on the Convention on the Physical Protection of Nuclear Material, GC(XXXIV)/RES/532 on nuclear safety guidelines for nuclear-powered vessels, GC(XXXIV)/RES/533 on the prohibition of armed attacks against nuclear installations devoted to peaceful purposes whether under construction or in operation, GC(XXXIV)/RES/540 entitled "Plan for producing potable water economically" and GC(XXXIV)/RES/545 on South Africa's nuclear capabilities, adopted on 21 September 1990 by the General Conference of the Agency at its thirty-fourth regular session,

1. *Takes note* of the report of the International Atomic Energy Agency;[13]

2. *Affirms* its confidence in the role of the Agency in the application of nuclear energy for peaceful purposes;

3. *Urges* all States to strive for effective and harmonious international co-operation in carrying out the work of the Agency, pursuant to its statute; in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment; in strengthening technical assistance and co-operation for developing countries; and in ensuring the effectiveness and efficiency of the Agency's safeguards system;

4. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the forty-fifth session of the General Assembly relating to the Agency's activities.

33rd plenary meeting
23 October 1990

45/8. Tenth anniversary of the University for Peace

The General Assembly,

Recalling its resolutions 33/109 of 18 December 1978, 34/111 of 14 December 1979 and 35/55 of 5 December 1980, on the establishment of the University for Peace,

Recalling also Economic and Social Council resolutions 1985/2 of 24 May 1985 and 1986/6 of 21 May 1986 and its resolution 41/175 of 5 December 1986,

Taking into account the positive contribution which the University has made to the cause of peace through the various international programmes it has developed during its first ten years, in particular those focusing on Central America, as a contribution to efforts to promote peace, security and trust amongst the countries of the region and the economic and social development of that part of the American continent,

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[12] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[13] International Atomic Energy Agency, *The Annual Report for 1989* (Austria, July 1990), (GC(XXXIV/915)); transmitted to the members of the General Assembly by a note of the Secretary-General (A/45/371).

[14] See *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings*, 32nd meeting (A/45/PV.32).

[15] Resolution 2373 (XXII), annex.

Bearing in mind that 1990 marks the end of the first decade of continuous work and activities by this institution dedicated to research and education for peace,

1. *Welcomes* the fact that in 1990 the University for Peace completes its first decade of activities in the cause of peace, in accordance with the purposes and objectives for which it was established;

2. *Invites* Member States to accede to the International Agreement for the Establishment of the University for Peace;[16]

3. *Appeals* to Member States and governmental and non-governmental agencies which provide financial assistance for research to make financial contributions in order further to advance the objectives of the University;

4. *Requests* the Secretary-General to establish an agreement on co-operation between the United Nations and the University, in accordance with the Charter of the University;[16]

5. *Expresses its appreciation* to Costa Rica, the host country, for its valuable support and contribution to the operation of the University;

6. *Requests* the Secretary-General to transmit the present appeal to all Member States so as to ensure the smooth operation of the University;

7. *Also requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

34th plenary meeting
24 October 1990

45/9. Co-operation between the United Nations and the Organization of the Islamic Conference

The General Assembly,

Having considered the report of the Secretary-General on co-operation between the United Nations and the Organization of the Islamic Conference,[17]

Taking into account the desire of both organizations to co-operate more closely in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and the establishment of a new international economic order,

Recalling the Articles of the Charter of the United Nations which encourage activities through regional co-operation for the promotion of the purposes and principles of the United Nations,

Noting the strengthening of co-operation between the specialized agencies and other organizations of the United Nations system and the Organization of the Islamic Conference and its specialized institutions,

Noting with satisfaction the co-ordination meeting of the focal points of the lead agencies of the United Nations system and the Organization of the Islamic Conference and its specialized institutions, held at Vienna from 12 to 14 December 1989, as called for in General Assembly resolution 44/8 of 18 October 1989,[18]

Noting also the encouraging progress made in the seven priority areas of co-operation as well as in the identification of other areas of co-operation,

Convinced that the strengthening of co-operation between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference contributes to the promotion of the purposes and principles of the United Nations,

Noting with appreciation the desire of both organizations to strengthen further the existing co-operation by developing specific proposals in the designated priority areas of co-operation,

Recognizing the need for closer co-operation between the specialized agencies and other organizations of the United Nations system and the Organization of the Islamic Conference and its specialized institutions in the implementation of the proposals adopted at the co-ordination meeting of the focal points of the lead agencies of the two organizations,

Recalling its resolutions 37/4 of 22 October 1982, 38/4 of 28 October 1983, 39/7 of 8 November 1984, 40/4 of 25 October 1985, 41/3 of 16 October 1986, 42/4 of 15 October 1987, 43/2 of 17 October 1988 and 44/8 of 18 October 1989,

1. *Takes note with satisfaction* of the report of the Secretary-General;[17]

2. *Approves* the conclusions and recommendations of the co-ordination meeting of the focal points of the lead agencies of the United Nations and the Organization of the Islamic Conference;[19]

3. *Notes with satisfaction* the active participation of the Organization of the Islamic Conference in the work of the United Nations towards the realization of the purposes and principles of the Charter of the United Nations;

4. *Requests* the United Nations and the Organization of the Islamic Conference to continue co-operation in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and the establishment of a new international economic order;

5. *Encourages* the specialized agencies and other organizations of the United Nations system to continue to expand their co-operation with the Organization of the Islamic Conference, particularly by negotiating co-operation agreements, and invites them to multiply the contacts and meetings of the focal points for co-operation in priority areas of interest to the United Nations and the Organization of the Islamic Conference;

6. *Recommends* that a general meeting between representatives of the secretariats of the United Nations system and the Organization of the Islamic Conference and its specialized institutions, as called for in resolution 44/8, be organized in 1991 at a date and place to be determined through consultations with the concerned organizations;

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[16] See resolution 35/55, annex.

[17] A/45/526 and Add.1.

[18] A/45/526/Add.1.

[19] *Ibid.*, paras. 7-48.

7. *Urges* the organizations of the United Nations system, especially the lead agencies, to provide increased technical and other forms of assistance to the Organization of the Islamic Conference and its specialized institutions in order to enhance co-operation;

8. *Requests* the Secretary-General to strengthen co-operation and co-ordination between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference to serve the mutual interests of the two organizations in the political, economic, social and cultural fields;

9. *Requests* the United Nations and the Organization of the Islamic Conference to arrange for the holding of consultations, as and when appropriate, between representatives of the Secretariat of the United Nations and the General Secretariat of the Organization of the Islamic Conference on the implementation of projects and follow-up action;

10. *Also requests* the Secretary-General of the United Nations, in co-operation with the Secretary-General of the Organization of the Islamic Conference, to encourage the convening of sectoral meetings on the priority areas of co-operation, including the areas of human resources development, environment and disaster relief, as recommended by the 1989 and 1990 meetings of the focal points of the two organizations;

11. *Expresses its appreciation* for the efforts of the Secretary-General in the promotion of co-operation between the United Nations and the Organization of the Islamic Conference, and expresses the hope that he will continue to strengthen the mechanisms of co-operation between the two organizations;

12. *Further requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the state of co-operation between the United Nations and the Organization of the Islamic Conference;

13. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Co-operation between the United Nations and the Organization of the Islamic Conference".

35th plenary meeting
25 October 1990

45/10. Co-operation between the United Nations and the Organization of American States

The General Assembly,

Recalling its resolution 43/4 of 17 October 1988, relating to the promotion of co-operation between the United Nations and the Organization of American States,

Having examined the report of the Secretary-General on co-operation between the United Nations and the Organization of American States,[20]

Recalling that the purposes of the United Nations are, *inter alia,* to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms and to be a centre for harmonizing the actions of nations in the attainment of these common ends,

Bearing in mind that the Charter of the United Nations provides for the existence of regional arrangements and agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, and whose activities are consistent with the purposes and principles of the United Nations,

Recalling also that the Charter of the Organization of American States reaffirms these purposes and principles, and provides that that organization is a regional agency under the terms of the Charter of the United Nations,

Bearing in mind the initiative of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in the peace process in the Central American region,

Recalling further the document entitled "Co-operation between the Organization of American States and the United Nations", submitted to the General Assembly of the Organization of American States on 4 June 1990 in connection with resolution AG/RES.941 (XVIII-0/88), adopted on 19 November 1988,

Bearing in mind the adoption by the General Assembly of the Organization of American States on 8 June 1990 of resolution AG/RES.1063 (XX-0/90) recommending the establishment of a centre for the promotion of democracy to assist member States that are seeking to preserve and strengthen their democratic processes and institutions,

Convinced of the need for more efficient and co-ordinated utilization of available economic and financial resources to promote the common objectives of the two organizations,

Aware that the effective consolidation of a new international order requires regional action in harmony with that of the United Nations,

1. *Takes note with satisfaction* of the report of the Secretary-General on co-operation between the United Nations and the Organization of American States, as well as his efforts to strengthen that co-operation;

2. *Expresses its satisfaction* at the close co-operation between the two organizations in the verification of the electoral process in Nicaragua from August 1989 to February 1990;

3. *Recognizes* the effectiveness of the co-operation between the two organizations with respect to the procedures established by the Central American Presidents within the context of the subregional peace process;

4. *Welcomes* the results of the work of the International Support and Verification Commission, established by the Secretary-General of the United Nations and the Secretary-General of the Organization of American States, as a machinery for the purposes of the execution and implementation of the Joint Plan for the voluntary demobilization, repatriation or relocation in Nicaragua or third countries of the members of the Nicaraguan resistance and their families, as well as assistance for the demobilization of all those involved in

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[20] A/45/499.

armed actions in the countries of the region when such persons voluntarily request it;[21]

5. *Recognizes* the importance of the participation of the International Support and Verification Commission in the demobilization of the irregular forces of the Nicaraguan resistance and takes note with satisfaction of the fundamental role of the United Nations Observer Group in Central America in the military aspects of the process and of the activities of the United Nations High Commissioner for Refugees in the operational area;

6. *Welcomes* the participation of the Organization of American States in the Support Committee and the Policies and Projects Committee of the Special Plan of Economic Co-operation for Central America,[22] established by General Assembly resolution 42/231 of 12 May 1988;

7. *Takes note* of the agreement of 6 April 1989 between the two organizations on the implementation of resolution 43/4, and of the consultations held at United Nations Headquarters on 14 February 1990;

8. *Recommends* that there should be an intensification of the preparations for the general meeting between representatives of the Organization of American States and of the United Nations and other organizations of the United Nations system, for the purpose of holding consultations on projects, measures and procedures which will facilitate and broaden co-operation between those organizations;

9. *Requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Co-operation between the United Nations and the Organization of American States".

35th plenary meeting
25 October 1990

45/11. Question of the Comorian island of Mayotte

The General Assembly,

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

Recalling also its previous resolutions, in particular resolutions 3161 (XXVIII) of 14 December 1973, 3291 (XXIX) of 13 December 1974, 31/4 of 21 October 1976, 32/7 of 1 November 1977, 34/69 of 6 December 1979, 35/43 of 28 November 1980, 36/105 of 10 December 1981, 37/65 of 3 December 1982, 38/13 of 21 November 1983, 39/48 of 11 December 1984, 40/62 of 9 December 1985, 41/30 of 3 November 1986, 42/17 of 11 November 1987, 43/14 of 26 October 1988 and 44/9 of 18 October 1989, in which, *inter alia,* it affirmed the unity and territorial integrity of the Comoros,

Recalling, in particular, its resolution 3385 (XXX) of 12 November 1975 on the admission of the Comoros to membership in the United Nations, in which it reaffirmed the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli,

Recalling further that, in accordance with the agreements between the Comoros and France, signed on 15 June 1973, concerning the accession of the Comoros to independence, the results of the referendum of 22 December 1974 were to be considered on a global basis and not island by island,

Convinced that a just and lasting solution to the question of Mayotte is to be found in respect for the sovereignty, unity and territorial integrity of the Comoro Archipelago,

Convinced also that a speedy solution of the problem is essential for the preservation of the peace and security which prevail in the region,

Bearing in mind the wish expressed by the President of the French Republic to seek actively a just solution to that problem,

Taking note of the repeated wish of the Government of the Comoros to initiate as soon as possible a frank and serious dialogue with the French Government with a view to accelerating the return of the Comorian island of Mayotte to the Islamic Federal Republic of the Comoros,

Taking note of the report of the Secretary-General,[23]

Bearing in mind also the decisions of the Organization of African Unity, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference on this question,

1. *Reaffirms* the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte;

2. *Invites* the Government of France to honour the commitments entered into prior to the referendum on the self-determination of the Comoro Archipelago of 22 December 1974 concerning respect for the unity and territorial integrity of the Comoros;

3. *Calls* for the translation into practice of the wish expressed by the President of the French Republic to seek actively a just solution to the question of Mayotte;

4. *Urges* the Government of France to accelerate the process of negotiations with the Government of the Comoros with a view to ensuring the effective and prompt return of the island of Mayotte to the Comoros;

5. *Requests* the Secretary-General of the United Nations to maintain continuous contact with the Secretary-General of the Organization of African Unity with regard to this problem and to make available his good offices in the search for a peaceful negotiated solution to the problem;

6. *Also requests* the Secretary-General to report on this matter to the General Assembly at its forty-sixth session;

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[21] See A/44/451-S/20778; see *Official Records of the Security Council, Forty-fourth Year, Supplement for July, August and September 1989,* document S/20778.

[22] A/42/949, annex.

[23] A/45/540.

7. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Question of the Comorian island of Mayotte".

36th plenary meeting
1 November 1990

45/12. The situation in Afghanistan and its implications for international peace and security

The General Assembly,

Having considered the item entitled "The situation in Afghanistan and its implications for international peace and security",

Recalling its resolutions 43/20 of 3 November 1988 and 44/15 of 1 November 1989,

Reaffirming the purposes and principles of the Charter of the United Nations and the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity and political independence of any State,

Reaffirming also the inalienable right of all peoples to determine their own form of government and to choose their own economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever,

Gravely concerned at the situation in Afghanistan, which resulted from the violation of principles of the Charter and of the recognized norms of inter-State conduct,

Noting the conclusion at Geneva, on 14 April 1988, of the Agreements on the Settlement of the Situation Relating to Afghanistan[24] and the completion of the withdrawal of foreign troops in accordance with those Agreements,

Aware of the continuing concern of the international community at the sufferings of the Afghan people and the magnitude of the social and economic problems posed to Pakistan and Iran by the presence on their soil of millions of Afghan refugees,

Deeply conscious of the urgent need for a comprehensive political solution of the situation in respect of Afghanistan,

Conscious that a successful final political settlement of the Afghanistan problem would have a favourable impact on the international situation and provide an impetus for the resolution of other acute regional conflicts,

Expressing its appreciation to the Secretary-General and his Personal Representative for their efforts to bring about peace and security,

Taking note of the report of the Secretary-General[25] and the status of the process of political settlement,

1. *Emphasizes* the importance of the Agreements on the Settlement of the Situation Relating to Afghanistan, hereinafter referred to as the "Geneva Agreements", concluded at Geneva on 14 April 1988 under United Nations auspices, which constitute an important step towards a comprehensive political solution of the Afghanistan problem;

2. *Expresses its deep appreciation* to the Secretary-General and his Personal Representative for their constant efforts to achieve a political solution of the Afghanistan problem;

3. *Calls* for the scrupulous respect for and faithful implementation of the Geneva Agreements by all parties concerned, who should fully abide by their letter and spirit;

4. *Reiterates* that the preservation of the sovereignty, territorial integrity, political independence and non-aligned and Islamic character of Afghanistan is essential for a peaceful solution of the Afghanistan problem;

5. *Reaffirms* the right of the Afghan people to determine their own form of government and to choose their economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever;

6. *Calls upon* all parties concerned to work urgently for the achievement of a comprehensive political solution, the cessation of hostilities and the creation of the necessary conditions of peace and normalcy that would enable the Afghan refugees to return voluntarily to their homeland in safety and honour;

7. *Emphasizes* the need for an early start of the intra-Afghan dialogue for the establishment, through democratic procedures acceptable to the Afghan people, including free and fair elections, of a broad-based government to ensure the broadest support and immediate participation of all segments of the Afghan people;

8. *Calls upon* all parties concerned to exert every effort to promote a political settlement acceptable to the Afghan people in order to bring to an end the protracted conflict that has prevailed in Afghanistan for the past several years;

9. *Requests* the Secretary-General and his Personal Representative to continue to encourage and facilitate the early realization of a comprehensive political settlement in Afghanistan in accordance with the provisions of the Geneva Agreements and of the present resolution;

10. *Expresses its appreciation* for the efforts of the United Nations High Commissioner for Refugees aimed at providing humanitarian assistance to the Afghan refugees and facilitating their voluntary return, and appeals to the parties concerned to take all necessary measures to ease their lot;

11. *Renews its appeal* to all States and national and international organizations to continue to extend humanitarian relief assistance with a view to alleviating the hardship of the Afghan refugees, in co-ordination with the High Commissioner;

12. *Also expresses its appreciation* for the efforts of the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and calls upon all States to provide to the Co-ordinator adequate financial and material resources for the purposes of achieving the speedy repatriation and rehabilitation of the Afghan refugees, as well as for the economic and social reconstruction of the country;

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[24] S/19835, annex I; see *Official Records of the Security Council, Forty-third Year, Supplement for April, May and June 1988*, document S/19835.

[25] A/45/635-S/21879; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990*, document S/21879.

13. *Requests* the Secretary-General to keep Member States and the Security Council informed of progress towards the implementation of the present resolution and to submit to the General Assembly at its forty-sixth session a report on the situation in Afghanistan and on progress achieved in the implementation of the Geneva Agreements and the political settlement relating to Afghanistan;

14. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "The situation in Afghanistan and its implications for international peace and security".

37th plenary meeting
7 November 1990

45/13. Co-operation between the United Nations and the Organization of African Unity

The General Assembly,

Having considered the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity,[26]

Recalling its previous resolutions on the enhancement of co-operation between the United Nations and the Organization of African Unity and the practical measures taken for their implementation,

Recalling also its resolutions S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 43/12 of 25 October 1988 and 43/27 of 18 November 1988 on the mid-term review and appraisal of the implementation of the Programme of Action,

Recalling further its resolution 44/17 of 1 November 1989 on co-operation between the United Nations and the Organization of African Unity which, *inter alia,* called for the increased support of the United Nations and the relevant agencies of the United Nations system for the establishment of an African economic community,

Taking note of the relevant resolutions, decisions and declarations adopted by the Council of Ministers of the Organization of African Unity at its fifty-second ordinary session, held at Addis Ababa from 3 to 8 July 1990,[27] and by the Assembly of Heads of State and Government of that organization at its twenty-sixth ordinary session, held at Addis Ababa from 9 to 11 July 1990,[28]

Considering the important statement made by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity before the General Assembly on 1 October 1990,[29]

Mindful of the need for continued and closer co-operation between the United Nations and the specialized agencies and the Organization of African Unity,

Also mindful of the current political development in South Africa and conscious of the need to provide increased assistance to the people of South Africa and to their national liberation movements in their legitimate struggle to eradicate the policies of *apartheid,*

Deeply concerned that the critical economic situation persists in Africa despite the policies of reform being implemented by African countries,

Also concerned that some constraints continue to pose critical obstacles to African economic growth and development, including those in the external arena, such as the collapse of prices of Africa's primary commodities, severe debt-servicing burdens and limited availability of finance,

Aware of the efforts under way by the Organization of African Unity and its member States in the area of economic integration and, in particular, towards the establishment of an African economic community,

Conscious of its responsibilities to provide economic, material and humanitarian assistance to independent States in southern Africa to help them cope with the situation resulting from the acts of aggression and destabilization committed by the *apartheid* régime of South Africa,

Deeply concerned at the gravity of the situation of the refugees and displaced persons in Africa and the urgent need for increased international assistance to help African countries of asylum,

Recognizing the important role that the United Nations information system could play in disseminating information to bring about a greater awareness of the grave situation prevailing in southern Africa as well as the social and economic problems and the needs of African States and their regional and subregional institutions,

Expressing its gratitude for the continued financial and other support extended to Africa by the international community and especially by the donor countries,

1. *Takes note* of the report of the Secretary-General on co-operation between the United Nations and the Organization of African Unity and of his efforts to strengthen this co-operation;

2. *Notes with appreciation* the increasing and continued participation of the Organization of African Unity in the work of the United Nations and the specialized agencies and its constructive contribution to that work;

3. *Notes also with appreciation* the efforts undertaken by the Secretary-General to implement General Assembly resolutions 43/12, 43/27 and 44/17 which, *inter alia,* led to the establishment of a group of experts to undertake an in-depth assessment of the question of commodities of interest to Africa and the scope for export diversification;

4. *Notes further with appreciation* the efforts undertaken by the Secretary-General of the United Nations and the Secretary-General of the Organization of African Unity to reactivate the consultative mechanism between the two organizations;

5. *Commends* the continued efforts of the Organization of African Unity to promote multilateral co-operation among African States and requests the United Nations system to continue to lend its support;

6. *Reaffirms* that the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990 is the responsibility of the international community as a whole and de-

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[26] A/45/364 and Add.1.

[27] A/45/482, annex I.

[28] *Ibid.*, annex II.

[29] See *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings*, 15th meeting (A/45/PV.15).

cides that the final review and evaluation of its implementation by the United Nations General Assembly at the forty-sixth session in 1991 should be prepared by an *ad hoc* committee of the whole of the General Assembly;

7. *Calls upon* the Secretary-General of the United Nations to continue to strengthen co-operation and co-ordination with the Secretary-General of the Organization of African Unity in the preparation of the final review of the Programme of Action by the General Assembly at its forty-sixth session;

8. *Also calls upon* the Secretary-General of the United Nations, notwithstanding the competence of the multilateral financial institutions, to co-operate with the Secretary-General of the Organization of African Unity to contribute to the implementation of measures aimed at a lasting solution to Africa's debt and debt-servicing burden, taking into account Africa's common position on its external debt, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its third extraordinary session, held at Addis Ababa on 30 November and 1 December 1987;[30]

9. *Urges* all Member States and regional and international organizations, in particular those of the United Nations system, to continue to extend maximum support to those projects and programmes undertaken by African countries within the framework of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa[31] and the Final Act of Lagos[32] and Africa's Priority Programme for Economic Recovery 1986-1990;[33]

10. *Requests* all Member States, United Nations bodies, the specialized agencies and all other relevant organs of the United Nations, as well as non-governmental organizations, to contribute to African economic integration and co-operation by reactivating and increasing financial and technical assistance to programmes and projects of regional economic integration and co-operation of African regional and subregional organizations such as the Preferential Trade Area for Eastern and Southern African States, Southern African Development Co-ordination Conference, Economic Community of Central African States, Economic Community of West African States, Arab Maghreb Union as well as those for drought and desertification such as the Permanent Inter-State Committee on Drought Control in the Sahel and the Intergovernmental Authority for Drought and Development;

11. *Reiterates its appreciation* to the Secretary-General for his continued efforts to mobilize international support for special programmes of economic assistance to African States facing grave economic difficulties, as well as to the front-line States and other independent States of southern Africa to help them to withstand the effects of the acts of aggression and destabilization committed by the *apartheid* régime of South Africa;

12. *Requests* the Secretary-General to continue to keep the Organization of African Unity informed periodically of measures taken by the United Nations system and by the international community in support of the implementation of special programmes of economic assistance in Africa;

13. *Also requests* the Secretary-General of the United Nations and the relevant agencies of the United Nations system to continue to extend their support and co-operation through the Secretary-General of the Organization of African Unity to the member States of that organization in their efforts to enhance African economic integration by the establishment of an African economic community, in accordance with relevant resolutions of the Organization of African Unity;[34]

14. *Expresses its appreciation* to the United Nations system and the international community for the assistance so far rendered to the African States in dealing with the emergency situation as well as with the critical economic problems that exist on the African continent, and urges them to increase this assistance;

15. *Urges* all Member States and regional and international organizations, in particular those of the United Nations system, as well as non-governmental organizations to provide material and economic assistance to African countries of asylum to enable them to withstand the heavy burden imposed on their limited resources and weak infrastructure by the presence in their countries of large numbers of refugees;

16. *Requests* the Secretary-General to take the necessary measures to strengthen co-operation at the political, economic, cultural and administrative levels between the United Nations and the Organization of African Unity in accordance with the relevant resolutions of the General Assembly, particularly with regard to the provision of assistance to the victims of colonialism and *apartheid* in southern Africa;

17. *Urges* the international community to contribute generously to the Assistance Fund for the Struggle against Colonialism and *Apartheid*, established by the Organization of African Unity, and to the Action for Resisting Invasion, Colonialism and *Apartheid* Fund, established by the Movement of Non-Aligned Countries;[35]

18. *Reiterates* the determination of the United Nations, in co-operation with the Organization of African Unity, to intensify its efforts to eliminate racial discrimination and *apartheid* in southern Africa;

19. *Endorses* the agreement reached between the organizations of the United Nations system and the Organization of African Unity for the convening of a mid-term review meeting between the secretariats of those organizations, to be held at the headquarters of the Organization of African Unity during April 1991 in order to evaluate the progress achieved in the implementation of the proposals and recommendations agreed upon in April 1990 on the co-operation between the Organization of African Unity and the United Nations system for 1990/1991 and to adopt new measures for their effective implementation;

20. *Requests* the United Nations and the Organization of African Unity to continue to hold regular consultations, as and when appropriate, between representatives of the Secretariat of the United Nations and the

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[30] A/42/874, annex II.

[31] A/S-11/14, annex I.

[32] *Ibid*., annex II.

[33] A/40/666, annex I, Declaration AHG/Decl. 1 (XXI), annex.

[34] For the texts of the relevant resolutions of the Organization of African Unity, see A/45/482, annex II, and A/42/699, annex II.

[35] A/42/422, annex III.

General Secretariat of the Organization of African Unity on the implementation of the present resolution;

21. *Calls upon* the competent organs of the United Nations system to continue to ensure the just and equitable representation of Africa at senior and policy levels at their respective headquarters and in their regional and field operations;

22. *Calls upon* the United Nations organs—in particular the Security Council, the Economic and Social Council, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against *Apartheid*—to continue to associate closely the Organization of African Unity with all their activities concerning Africa;

23. *Requests* the Secretary-General of the United Nations to continue to invite the representative of the Secretary-General of the Organization of African Unity to participate in the meetings of the United Nations Steering Committee and its Inter-Agency Task Force and working groups on the final review of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990;[36]

24. *Also requests* the Secretary-General to ensure that adequate facilities continue to be made available to enhance continued liaison and consultations on matters of common interest as well as the provision of technical assistance to the General Secretariat of the Organization of African Unity, as required;

25. *Further requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution and on the development of co-operation between the Organization of African Unity and the organizations within the United Nations system.

37th plenary meeting
7 November 1990

45/14. Implementation of the Declaration on the Right of Peoples to Peace

The General Assembly,

Recalling the Declaration on the Right of Peoples to Peace, adopted in its resolution 39/11 of 12 November 1984,

Stressing that the emerging new positive trends and events in international relations are becoming increasingly conducive to strengthening universal peace and security and to implementing the spirit and letter of the Declaration,

Noting with satisfaction the renaissance of the peace-keeping and peace-making potential of the United Nations,

Having in mind the Universal Declaration of Human Rights,[37] which emphasizes that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Having in mind also its resolution 44/21 of 15 November 1989, which, *inter alia,* calls upon all States to intensify their practical efforts towards ensuring international peace and security in all its aspects through co-operative means in accordance with the Charter of the United Nations,

1. *Takes note* of the report of the Secretary-General on the implementation of the Declaration on the Right of Peoples to Peace;[38]

2. *Reaffirms* the lasting importance of the objectives of the Declaration;

3. *Emphasizes* the importance of the efforts at the national and international levels towards the implementation of the Declaration, having in view, especially, the need for all States to abide by the provisions of the Charter of the United Nations and, in particular, to respect the principles of sovereign equality, political independence and territorial integrity of States and non-intervention in internal affairs, to refrain from the threat or use of force inconsistent with the Charter, to settle disputes peacefully, to adhere to the principles of equal rights and self-determination of peoples, respect for human rights and fundamental freedoms and co-operation among States, and to comply in good faith with their obligations assumed in accordance with the Charter;

4. *Requests* the Secretary-General to keep the implementation of the Declaration under review and report on this matter as required.

37th plenary meeting
7 November 1990

45/15. The situation in Central America: threats to international peace and security and peace initiatives

The General Assembly,

Recalling Security Council resolutions 530 (1983) of 19 May 1983, 562 (1985) of 10 May 1985, 637 (1989) of 27 July 1989, 644 (1989) of 7 November 1989, 650 (1990) of 27 March 1990, 653 (1990) of 20 April 1990, 654 (1990) of 4 May 1990, 656 (1990) of 8 June 1990 and its resolutions 38/10 of 11 November 1983, 39/4 of 26 October 1984, 41/37 of 18 November 1986, 42/1 of 7 October 1987, 43/24 of 15 November 1988, 44/10 of 23 October 1989 and 44/44 of 7 December 1989,

Aware that the agreement on "Procedures for the establishment of a firm and lasting peace in Central America" signed at Guatemala City on 7 August 1987 by the Presidents of the Republics of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, at the Esquipulas II summit meeting,[39] is the outcome of the decision by Central Americans to take up fully the historical challenge of forging a peaceful destiny for Central America,

Welcoming the joint declarations adopted by the Central American Presidents at Alajuela, Costa Rica, on 16

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[36] See A/42/560 and Corr.1, paras. 121 and 122, and A/43/664 and Corr.1, para. 42.

[37] Resolution 217 A (III).

[38] A/45/546 and Add.1.

[39] A/42/521-S/19085, annex; see *Official Records of the Security Council, Forty-second Year, Supplement for July, August and Septem-*

January 1988,[40] Costa del Sol, El Salvador, on 14 February 1989,[41] Tela, Honduras, on 7 August 1989,[21] Montelimar, Nicaragua, on 3 April 1990[42] and Antigua, Guatemala, on 17 June 1990,[43]

Convinced that the peoples of Central America wish to achieve peace, reconciliation, development and justice, without outside interference, in accordance with their own decision and their own historical experience, and without sacrificing the principles of self-determination and non-intervention,

Aware also of the political will which inspires them to settle their differences by means of dialogue, negotiation and respect for the legitimate interests of all States, establishing commitments to be fulfilled in good faith, through the verifiable performance of actions aimed at achieving peace, democracy, security, co-operation and respect for human rights,

Taking note of the reports of the Secretary-General of 21 December 1989[44] and 8 November 1990[45] submitted in pursuance of General Assembly resolution 44/10,

Taking note also of the reports of the Secretary-General on the verification of the electoral process in Nicaragua at each and every stage by the United Nations Observer Group in Central America carried out at the request of the Government of Nicaragua and in particular the conclusion by the Group that the electoral process as a whole was orderly, free and fair,

Taking note with satisfaction of the work carried out in the region by the Group in verifying the security commitments entered into by the Central American Governments under the agreement signed at the Esquipulas II summit meeting, and the successful demobilization of the members of the Nicaraguan resistance, and by the International Support and Verification Commission in their repatriation and relocation with the co-operation of the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme,

Convinced that the National Conciliation Agreement on Economic and Social Matters reached in Nicaragua on 26 October 1990[46] constitutes a positive and promising contribution to strengthening the process of democratization, development and peace in Nicaragua and in the region,

Observing with satisfaction the agreements signed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional in Geneva on 4 April[47] and at Caracas on 21 May 1990,[48] on the basis of which a negotiating process has been initiated under the auspices of the Secretary-General directed towards the conclusion of political agreements in accordance with an agreed agenda, with a view to putting an end to the armed conflict by political means in the shortest possible time, as well as promoting the democratization of the country, guaranteeing unrestricted respect for human rights and reunifying Salvadorian society,

Taking note with interest of the progress of the talks between the various sectors of Guatemalan society and the Unidad Revolucionaria Nacional Guatemalteca, which have taken place pursuant to the agreement signed at Oslo on 30 March 1990[49] and under the auspices of the National Reconciliation Commission of Guatemala, in the presence of a representative of the Secretary-General of the United Nations and with the support of the Guatemalan Government,

Recognizing the unfailing determination of the Río Group to achieve peace in Central America and the valuable contribution made by its member States throughout the regional peace effort,

Bearing in mind the particular importance which the implementation of its resolution 42/231 of 12 May 1988 concerning the Special Plan of Economic Co-operation for Central America and other relevant resolutions has for improving the living standards of the Central American people,

1. *Commends* the effort made by the Central American countries to achieve peace through the implementation of the agreement on "Procedures for the establishment of a firm and lasting peace in Central America" signed at Guatemala City on 7 August 1987,[39] as well as of the agreements adopted at subsequent summit meetings;

2. *Expresses* its strongest support for these agreements and urges the Governments to continue their efforts to consolidate firm and lasting peace in Central America;

3. *Requests* the Secretary-General to continue to afford the fullest possible support to the Central American Governments in their efforts to consolidate peace, especially by taking the measures necessary for the maintenance, establishment and effective functioning of the appropriate verification machinery;

4. *Welcomes* the National Conciliation Agreement on Economic and Social Matters reached in Nicaragua[46] and endorses, in particular, the provision concerning exceptional circumstances and the invitation it makes to the international community and the international funding agencies to provide effective and efficient support for the implementation of the Agreement;

5. *Commends* the efforts of the Secretary-General to bring about peace in Central America and, in particular, to encourage a negotiated political settlement of the Salvadorian conflict;

6. *Fully endorses* the active role being played by the Secretary-General as an intermediary in the context of the mandate which was conferred upon him by the Se-

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[40] A/42/911-S/19447, annex; see *Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988,* document S/19447.

[41] A/44/140-S/20491, annex; see *Official Records of the Security Council, Forty-fourth Year, Supplement for January, February and March 1989,* document S/20491.

[42] A/44/936-S/21235, annex; see *Official Records of the Security Council, Forty-fifth Year, Supplement for April, May and June 1990,* document S/21235.

[43] A/44/958, annex.

[44] A/44/886-S/21029; see *Official Records of the Security Council, Forty-fourth Year, Supplement for October, November and December 1989,* document S/21029.

[45] A/45/706-S/21931; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990,* document S/21931.

[46] A/45/818, annex I.

[47] See A/45/706-S/21931, annex I.

[48] *Ibid.*, annex II.

[49] *Ibid.*, annex III.

curity Council and which, pursuant to the agreements signed in Geneva[47] and at Caracas,[48] was emphasized on 31 October 1990 by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional in order to strengthen and accelerate the negotiation process;

7. *Requests* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to make every possible effort to carry out all the political agreements drawn up in Geneva and Caracas, bearing in mind, especially, the proposals of the Secretary-General in order to expedite the negotiation process and achieve as soon as possible a just and lasting peace in El Salvador;

8. *Requests* the Secretary-General to report to it during the forty-fifth session on the conduct of the tasks that the United Nations may undertake as a result of negotiations on El Salvador;

9. *Encourages* the Government of Guatemala to continue to support the national reconciliation process by pursuing its dialogue with the various sectors in order to achieve a peaceful settlement of the lengthy confrontation which has been taking place in Guatemala;

10. *Welcomes with satisfaction* the agreements reached at the meetings of the Security Commission, established under the agreement signed at the Esquipulas II summit meeting, held at San José in July 1990 and at San Salvador in September 1990, as well as the meeting of the technical sub-committee, held at Guatemala City in October 1990;

11. *Requests* the Secretary-General to continue to support the negotiation process and the verification of any agreements that may be adopted on the basis of the work of the Security Commission;

12. *Appeals* to the countries which are outside the region but which have links with and interests in it to facilitate the process of peace and democratization in the region and to refrain from any action that might hinder that process;

13. *Requests* the Secretary-General to submit a report to the General Assembly at its forty-sixth session on progress made in implementing the present resolution;

14. *Urges* the international community and international organizations to increase their technical, economic and financial co-operation with the Central American countries for the implementation of the goals and objectives of the Special Plan of Economic Co-operation for Central America, as stipulated in General Assembly resolution 42/231, and as a way of assisting the efforts being made by the countries of the region to achieve peace and development;

15. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "The situation in Central America: threats to international peace and security and peace initiatives".

43rd plenary meeting
20 November 1990

45/33. Thirtieth Anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 43/47 of 22 November 1988, entitled "International Decade for the Eradication of Colonialism",

Having commemorated in plenary meeting,[50] in the year of the forty-fifth anniversary of the United Nations, the thirtieth anniversary of the Declaration,

Recalling the provisions of the Charter of the United Nations, in which the peoples of the world proclaimed their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Recalling also the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,[51]

Recalling further its resolutions 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration, as well as its resolution 40/56 of 2 December 1985,

Considering that the process of national liberation is irresistible and irreversible, and recalling that the Declaration solemnly proclaimed the necessity speedily and unconditionally to put an end to colonialism in all its forms and manifestations,

Recognizing the significant and commendable role played by the United Nations, since its very inception, in the field of decolonization and noting the emergence, during this period, of more than one hundred States into sovereign existence, in particular noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting with satisfaction, in particular, that during the past thirty years a large number of former colonial Territories have achieved independence, mainly through the courageous liberation struggle carried out by the peoples of those countries, led by their national liberation movements, and that many former Trust and Non-Self-Governing Territories have exercised their right to self-determination and independence in accordance with the Declaration,

Noting also with satisfaction the important contribution made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in furthering the aims and objectives of the Declaration with a view to the liberation of peoples from colonial rule,

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[50] See *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings*, 29th meeting (A/45/PV.29).

[51] Resolution 2625 (XXV), annex.

Noting further with satisfaction the active and important role being played by former colonial Territories, as States Members of the United Nations and members of the other organizations of the United Nations system, in the realization of the purposes and principles of the Charter, the preservation of international peace and security, decolonization and the promotion of human progress, as well as the profound impact thereof on contemporary international relations,

Conscious of the fact that the Declaration has played an important role in assisting the peoples under colonial rule and will continue to serve as an inspiration in their efforts to achieve self-determination and independence in accordance with the Charter and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Noting with satisfaction the work accomplished by the two regional seminars held by the Special Committee in Vanuatu and Barbados on the occasion of the thirtieth anniversary of the Declaration,[52]

Deeply concerned at the fact that, thirty years after the adoption of the Declaration, colonialism in the world has not yet been totally eradicated,

Reaffirming that all peoples have the right to self-determination and independence and that the subjection of peoples to colonial domination constitutes a denial of fundamental human rights and is a serious impediment to the maintenance of international peace and security and the development of peaceful relations among nations,

Increasingly aware of the importance of economic, social and cultural development and self-reliance of colonial countries and peoples for the attainment and consolidation of genuine independence,

Convinced that the total eradication of racial discrimination, *apartheid* and violations of the basic human rights of the peoples in the remaining colonial Territories will be achieved peacefully and most expeditiously by the faithful and complete implementation of the Declaration,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Determined to take effective measures leading to the complete and unconditional elimination of colonialism in all its forms and manifestations without further delay,

1. *Reaffirms* the inalienable right of all peoples under colonial rule to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Declares* that the continuation of colonialism in all its forms and manifestations, including racism and *apartheid*, is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. *Expresses its conviction* that the thirtieth anniversary of the Declaration should provide an opportunity for Member States to rededicate themselves to the principles and objectives enunciated in that document and for concerted efforts to be made to remove the last vestiges of colonialism in all regions of the world;

4. *Strongly condemns* South Africa's aggressive activities and acts of destabilization against neighbouring independent African States and its policies of *apartheid*, as well as its acquisition of nuclear-weapon capability, the use of which would heighten tension and increase the threat to regional as well as international peace and security;

5. *Calls upon* Member States, in particular colonial Powers, to take effective steps with a view to the complete, unconditional and speedy eradication of colonialism in all its forms and manifestations and to the faithful and strict observance of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights,[37] as well as other relevant resolutions and decisions of the General Assembly and the Security Council;

6. *Urges* Member States to do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full and speedy implementation of the Declaration in all colonial Territories to which the Declaration applies;

7. *Calls upon* Member States to render, as a matter of urgency, all moral and material assistance to the peoples under colonial rule in their struggle to exercise their right to self-determination and independence, in accordance with the Charter and the Declaration;

8. *Urges* the administering Powers and other Member States to ensure that the activities of foreign economic and other interests in colonial Territories do not run counter to the interests of the inhabitants of those Territories and do not impede the implementation of the Declaration;

9. *Urges* Member States to discontinue all economic, financial, trade and other relations with the racist minority régime of South Africa that run counter to the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa[53] and to refrain from entering into any relations which may lend legitimacy or support to its policies of *apartheid*;

10. *Requests* Member States, as well as the organizations of the United Nations system, to ensure that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

11. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the peoples of the Non-Self-Governing Territories of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to the dependent Territories;

12. *Reaffirms* that all administering Powers are obliged, under the Charter and in accordance with the Declaration, to create economic, social and other conditions in the Territories under their administration

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[52] See A/AC.109/1040 and Corr.1 and A/AC.109/1043.

[53] Resolution S-16/1, annex.

which will enable those Territories to achieve genuine independence and economic self-reliance;

13. *Requests* the administering Powers concerned to adopt the necessary measures to discourage or prevent any systematic influx of immigrants and settlers into the Territories under their administration which might disrupt the demographic composition of those Territories and prevent the genuine exercise of the right to self-determination and independence by their peoples, and to avoid any forced displacement, complete or partial, of the population of colonial Territories;

14. *Also requests* the administering Powers to preserve the cultural identity, as well as the national unity, of the Territories under their administration and to encourage the full development of the indigenous culture, with a view to facilitating the unfettered exercise of the right to self-determination and independence by the peoples of those Territories;

15. *Reaffirms its strong conviction* that the presence of all kinds of military bases and installations in colonial Territories could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations does not hinder the peoples of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter and the Declaration;

16. *Calls upon* the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in the Territories under their administration;

17. *Requests* Member States, in particular the administering Powers, to adopt appropriate measures to prevent the recruitment, financing, training and transit of mercenaries in their Territories for use against the national liberation movements struggling for freedom and independence from the yoke of colonialism, racism and *apartheid*;

18. *Considers* it incumbent upon the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

19. *Urges* Member States to ensure the full and speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

20. *Requests* the specialized agencies and other organizations of the United Nations system to render, or continue to render, within their respective spheres of competence, all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements, to take measures to withhold from the *apartheid* régime of South Africa any form of collaboration or assistance in the financial, economic and technical fields and to discontinue all support to that régime until *apartheid* has been eradicated and a non-racial, united and democratic State based on the will of all South African people has been established in accordance with the relevant resolutions and decisions of the General Assembly, including the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, and of the Security Council;

21. *Invites* non-governmental organizations having a special interest in the field of decolonization to intensify their activities in co-operation with the United Nations;

22. *Requests* the Special Committee to continue to examine the full compliance of all States with General Assembly resolution 1514 (XV) and other relevant resolutions on the question of decolonization, to seek the most suitable ways for the speedy and total application of the Declaration to all Territories to which it applies and to propose to the Assembly specific measures for the complete implementation of the Declaration in the remaining colonial Territories;

23. *Invites* all States to co-operate fully with the Special Committee in the complete fulfilment of its mandate.

44th plenary meeting
20 November 1990

45/34. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[54]

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration, as well as 40/56 of 2 December 1985, on the twenty-fifth anniversary of the Declaration,

Also recalling all its resolutions concerning the implementation of the Declaration, in particular resolution 44/101 of 11 December 1989, as well as the relevant resolutions of the Security Council,

Deeply conscious of the urgent need to take all necessary measures to eliminate forthwith the last vestiges of colonialism, and, in that respect, recalling its resolution 43/47 of 22 November 1988,

Reiterating its conviction that the total eradication of racial discrimination, *apartheid* and violations of the basic human rights of the peoples of colonial Territories will be achieved most expeditiously by the faithful and complete implementation of the Declaration,

Conscious that the success of national liberation struggles and the resultant international situation have provided the international community with a unique opportunity to make a decisive contribution towards the total elimination of colonialism in all its forms and manifestations in Africa,

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[54] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 23* (A/45/23).

Welcoming the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting with satisfaction the work accomplished by the Special Committee to secure the effective and complete implementation of the Declaration contained in General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations,

Noting also with satisfaction the co-operation and active participation of some of the administering Powers concerned in the relevant work of the Special Committee, as well as their continued readiness to receive United Nations visiting missions in the Territories under their administration,

Stressing the importance of the participation of the administering Powers in the work of the Special Committee and noting with concern the negative impact which the non-participation of certain administering Powers has had on the work of the Special Committee, depriving it of an important source of information on the Territories under their administration,

Keenly aware of the pressing need of the newly independent and emerging States for assistance from the United Nations and its system of organizations in the economic, social and other fields,

Recognizing that the eradication of colonialism is one of the priorities of the Organization for the decade 1990-1999,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions on decolonization and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the dependent peoples of the Territories concerned to exercise fully and without further delay their inalienable right to self-determination and independence;

2. *Affirms once again* that the continuation of colonialism in all its forms and manifestations – including racism, *apartheid,* those activities of foreign economic and other interests contrary to the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as the violations of the right to self-determination and basic human rights of the peoples of colonial Territories and policies and practices to suppress legitimate national liberation movements – is incompatible with the Charter, the Universal Declaration of Human Rights[37] and the Declaration on the Granting of Independence to Colonial Countries and Peoples and poses a threat to international peace and security;

3. *Reaffirms its determination* to continue to take all necessary steps with a view to the complete and speedy eradication of colonialism and to the faithful and strict observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the guiding principles of the Universal Declaration of Human Rights;

4. *Affirms once again* its recognition of the legitimacy of the struggle of the peoples under colonial and alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal;

5. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 1990, including the programme of work envisaged for 1991;[55]

6. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system within their respective spheres of competence, to give effect to the recommendations contained in the report of the Special Committee for the speedy implementation of the Declaration contained in General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

7. *Condemns* the activities of foreign economic and other interests which are impeding the implementation of the Declaration with respect to the colonial Territories;

8. *Calls upon* the administering Powers to ensure that no activity of foreign economic and other interests in the Non-Self-Governing Territories under their administration constitutes an obstacle to the right of the peoples of those Territories to self-determination and independence;

9. *Strongly condemns* collaboration, particularly in the nuclear and military fields, with the Government of South Africa and calls upon the States concerned to cease forthwith all such collaboration;

10. *Calls upon* the colonial Powers to withdraw immediately and unconditionally their military bases and installations from colonial Territories, to refrain from establishing new ones and not to involve those Territories in any offensive acts or interference against other States;

11. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide all moral and material assistance to the peoples of colonial Territories and requests that the administering Powers, in consultation with the Governments of the Territories under their administration, take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

12. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of General Assembly resolution 1514 (XV) in all Territories that have not yet attained independence and, in particular:

(*a*) To formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly at its forty-sixth session;

(*b*) To make concrete suggestions which could assist the Security Council in considering appropriate measures under the Charter with regard to developments in colonial Territories that are likely to threaten international peace and security;

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[55] *Ibid.*, chap. I, sect. K.

(*c*) To continue to examine the compliance of Member States with resolution 1514 (XV) and other relevant resolutions on decolonization;

(*d*) To continue to pay special attention to the small Territories, in particular through the dispatch of visiting missions to those Territories whenever the Special Committee deems it appropriate, and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence;

(*e*) To take all necessary steps to enlist world-wide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

13. *Calls upon* the administering Powers to continue to co-operate with the Special Committee in the discharge of its mandate and to receive visiting missions to the Territories to secure first-hand information and ascertain the wishes and aspirations of their inhabitants, and urges, in particular, those administering Powers which do not participate in the work of the Special Committee to do so at its 1991 session;

14. *Requests* the Secretary-General and the specialized agencies and other organizations of the United Nations system to provide or continue to provide to the newly independent and emerging States all possible assistance in the economic, social and other fields;

15. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the various resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

44th plenary meeting
20 November 1990

45/35. Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[56]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular General Assembly resolution 44/102 of 11 December 1989,

Reiterating the importance of publicity as an instrument for furthering the aims and purposes of the Declaration and mindful of the continuing pressing need to take all possible steps to acquaint world public opinion with all aspects of the problems of decolonization with a view to assisting effectively the peoples of the colonial Territories in achieving self-determination, freedom and independence,

Noting with concern the measures of censorship imposed by the racist régime of South Africa upon the local and international media with respect to the policies and practices of *apartheid,*

Aware of the increasingly important role being played in the widespread dissemination of relevant information by a number of non-governmental organizations having a special interest in decolonization, and noting with satisfaction the intensified efforts of the Special Committee in enlisting the support of those organizations in that regard,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization;[56]

2. *Considers* it incumbent upon the United Nations to continue to play an active role in the process of self-determination and independence and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

3. *Requests* the Secretary-General, having regard to the suggestions of the Special Committee, to continue to take concrete measures through all the media at his disposal, including publications, radio and television, to give widespread and continuous publicity to the work of the United Nations in the field of decolonization, and, *inter alia*:

(*a*) To continue, in consultation with the Special Committee, to collect, prepare and disseminate basic material, studies and articles relating to the problems of decolonization and, in particular, to continue to publish the periodical *Objective: Justice* and other publications, special articles and studies, including the *Decolonization* series, by increasing the information on all the Territories under consideration by the Special Committee, and to select from them appropriate material for wider dissemination by means of reprints in various languages;

(*b*) To seek the full co-operation of the administering Powers concerned in the discharge of the tasks referred to above;

(*c*) To intensify the activities of all United Nations information centres;

(*d*) To maintain a working relationship with the Organization of African Unity and other appropriate organizations by holding periodic consultations and exchanging relevant information;

(*e*) To enlist, with the close co-operation of United Nations information centres, the support of non-governmental organizations having a special interest in decolonization in the dissemination of the relevant information;

(*f*) To continue to provide full press release coverage for all meetings of the Special Committee and its subsidiary bodies;

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[56] *Ibid.*, chap. III.

(*g*) To ensure the availability of the necessary facilities and services to that end;

(*h*) To report to the Special Committee on the measures taken in the implementation of the present resolution;

4. *Requests* all States, in particular the administering Powers, the specialized agencies and other organizations of the United Nations system and non-governmental organizations having a special interest in decolonization, to undertake or intensify, in co-operation with the Secretary-General and within their respective spheres of competence, the large-scale dissemination of the information referred to in paragraph 2 above;

5. *Requests* the Special Committee to follow the implementation of the present resolution and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/36. Zone of peace and co-operation of the South Atlantic

The General Assembly,

Recalling its resolution 41/11 of 27 October 1986, in which it solemnly declared the Atlantic Ocean, in the region situated between Africa and South America, the "Zone of peace and co-operation of the South Atlantic",

Recalling also its resolution 42/16 of 10 November 1987, in which it urged States of the region to continue their actions aiming at fulfilling the goals of the declaration, especially through the adoption and implementation of specific programmes for this purpose, its resolution 43/23 of 14 November 1988, in which it commended initiatives by States of the zone to promote peace and regional co-operation in the South Atlantic, and its resolution 44/20 of 14 November 1989, in which it noted with appreciation the efforts of States of the zone towards fulfilling the goals of the declaration,

Reaffirming that the questions of peace and security and those of development are interrelated and inseparable, and considering that co-operation among all States, in particular those of the region, for peace and development is essential to promote the objectives of the zone of peace and co-operation of the South Atlantic,

Also reaffirming the determination of the States of the zone to accelerate their co-operation in political, economic, scientific, technical, cultural and other spheres,

Aware of the importance that the States of the zone attach to the preservation of the region's environment and recognizing the threat that pollution from any source poses to the marine and coastal environment, its ecological balance and its resources,

Also aware of the importance of the South Atlantic to global maritime and commercial transactions, and determined to preserve the region for all activities enshrined in relevant international law, including the freedom of navigation in the high seas,

Noting with satisfaction the various initiatives of the States of the zone to contribute to the achievement of the objectives of the zone,

1. *Takes note* of the report submitted by the Secretary-General in accordance with resolution 44/20;[57]

2. *Calls upon* all States to co-operate in the promotion of the objectives of peace and co-operation established in the declaration of the zone of peace and co-operation of the South Atlantic and to refrain from any action inconsistent with those objectives, as well as with the Charter of the United Nations and relevant resolutions of the Organization, particularly actions which may create or aggravate situations of tension and potential conflict in the region;

3. *Welcomes* the holding of the second meeting of the States of the zone of peace and co-operation of the South Atlantic at Abuja, Nigeria, from 25 to 29 June 1990, and takes note of the final document of the meeting;[58]

4. *Also welcomes* the independence of Namibia, its admission as a member of the community of the States of the zone and its participation in the activities of the zone, and calls upon the international community to render necessary assistance to Namibia in the areas of its defined needs in order to consolidate its independence and sovereignty;

5. *Urges* all States to abstain from transferring into and disposing within the region hazardous, toxic and nuclear wastes and notes the determination of the States of the zone to establish a mechanism aimed at monitoring, collating and disseminating information and data on the movement of hazardous, toxic and nuclear wastes within the region;

6. *Emphasizes* the imperative need to preserve the environment of the region and urges all States to take the necessary measures in order to ensure its protection from environmental damage;

7. *Welcomes with appreciation* the assistance that the Office for Ocean Affairs and the Law of the Sea of the Secretariat and the United Nations Development Programme have extended towards the convening by the States of the zone of a seminar of a group of experts held at Brazzaville, from 12 to 15 June 1990, which was devoted to the review of the development and implementation of the legal régime established by the United Nations Convention on the Law of the Sea,[59] and looks forward to the convening of the second seminar on the subject in Uruguay in 1991, particularly with a view to its indication of specific areas for co-operation by the States of the zone, on all common marine programmes;

8. *Expresses support* for the determination of the States of the zone that technical co-operation among developing countries be recognized as activities that can be financed by the United Nations Development Programme, and requests the United Nations as well as other relevant international bodies to assist the States of the zone in the realization of their needs in this regard, at their request;

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[57] A/45/653.

[58] A/45/474, annex.

[59] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

9. *Also expresses support* for the aspirations of the States of the zone to make it an active instrument for fostering human rights, fundamental freedoms, racial equality, justice and liberty as integral elements of peace, development and co-operation at national and regional levels;

10. *Requests* the Secretary-General to keep the implementation of resolution 41/11 under review and to submit a report to the General Assembly at its forty-sixth session, taking into account, *inter alia*, the views expressed by Member States;

11. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Zone of peace and co-operation of the South Atlantic".

47th plenary meeting
27 November 1990

45/67. Question of Palestine

A

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987, 43/175 A of 15 December 1988 and 44/41 A of 6 December 1989,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[60]

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. *Endorses* the recommendations of the Committee contained in paragraphs 93 to 102 of its report and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is still awaited;

3. *Requests* the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights[61] and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

4. *Authorizes* the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations, to make such adjustments in its approved programme of seminars and symposia and meetings for non-governmental organizations as it may consider necessary, to give special emphasis to the need to mobilize public opinion in Europe and North America, and to report thereon to the General Assembly at its forty-sixth session and thereafter;

5. *Also requests* the Committee to continue to extend its co-operation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations;

6. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), as well as other United Nations bodies associated with the question of Palestine, to continue to co-operate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

7. *Decides* to circulate the report of the Committee to all the competent bodies of the United Nations and urges them to take the necessary action, as appropriate, in accordance with the Committee's programme of implementation;

8. *Requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

59th plenary meeting
6 December 1990

B

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[60]

Taking note, in particular, of the relevant information contained in paragraphs 52 to 78 of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988 and 44/41 B of 6 December 1989,

1. *Takes note with appreciation* of the action taken by the Secretary-General in compliance with General Assembly resolution 44/41 B;

2. *Requests* the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it continues to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B, paragraph 2 (*b*) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B, paragraph 2 of resolution 42/66 B and paragraph 2 of resolution 44/41 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

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[60] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 35* (A/45/35).

[61] *Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983* (United Nations publication, Sales No. E.83.I.21), chap. I, sect. B.

3. *Also requests* the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

4. *Invites* all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

5. *Takes note with appreciation* of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People.

59th plenary meeting
6 December 1990

C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[60]

Taking note, in particular, of the information contained in paragraphs 79 to 92 of that report,

Recalling its resolutions 44/41 C and 44/42 of 6 December 1989,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

1. *Takes note with appreciation* of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 44/41 C;

2. *Requests* the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine for the remainder of the biennium 1990-1991, with particular emphasis on public opinion in Europe and North America and, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organs;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Palestinian people and other Arab inhabitants of the occupied territories as reported by the relevant United Nations organs;

(*c*) To expand its audio-visual material on the question of Palestine, including the production of such material;

(*d*) To organize and promote fact-finding news missions for journalists to the area, including to the occupied territories;

(*e*) To organize regional and national encounters for journalists.

59th plenary meeting
6 December 1990

45/68. International Peace Conference on the Middle East

The General Assembly,

Having considered the report of the Secretary-General of 12 November 1990,[62]

Having heard the statement made on 3 December 1990 by the chairman of the observer delegation of Palestine,[63]

Stressing that achieving a comprehensive settlement of the Middle East conflict, the core of which is the question of Palestine, will constitute a significant contribution to international peace and security,

Aware of the overwhelming support for the convening of the International Peace Conference on the Middle East,

Noting with appreciation the endeavours of the Secretary-General to achieve the convening of the Conference,

Preoccupied by the increasingly serious situation in the occupied Palestinian territory as a result of persistent policies and practices of Israel, the occupying Power, and by the continuing lack of progress in achieving peace in the Middle East,

Aware of the ongoing uprising (*intifadah*) of the Palestinian people since 9 December 1987, aimed at ending Israeli occupation of Palestinian territory occupied since 1967,

1. *Reaffirms* the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

2. *Calls once again* for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

3. *Reaffirms* the following principles for the achievement of comprehensive peace:

(*a*) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(*b*) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

(*c*) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194

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[62] A/45/709-S/21929; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990*, document S/21929.

[63] See *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings*, 53rd meeting (A/45/PV.53).

(III) of 11 December 1948, and subsequent relevant resolutions;

(*d*) Dismantling the Israeli settlements in the territories occupied since 1967;

(*e*) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

4. *Notes* the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

5. *Once again invites* the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

6. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

59th plenary meeting
6 December 1990

45/69. The uprising (*intifadah*) of the Palestinian people

The General Assembly,

Aware of the uprising (*intifadah*) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies and practices against the Palestinian people,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[64] is applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories,

Expressing its profound shock at the continued measures by Israel, the occupying Power, including the killing and wounding of Palestinian civilians, and at the recent acts of violence committed by the Israeli security forces, which took place on 8 October 1990 at the Haram al-Sharif in Jerusalem, resulting in injuries and loss of human lives,

Stressing the need to promote international protection to the Palestinian civilians in the occupied Palestinian territory,

Recognizing the need for increased support to, aid for and solidarity with the Palestinian people under Israeli occupation,

Having considered the recommendations contained in the reports of the Secretary-General of 21 January 1988[65] and 31 October 1990,[66]

Recalling its relevant resolutions as well as the relevant Security Council resolutions,

1. *Condemns* those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth;

2. *Demands* that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and desist immediately from those policies and practices which are in violation of the provisions of the Convention;

3. *Calls upon* all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

4. *Strongly deplores* the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

5. *Reaffirms* that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changes the legal status of those territories;

6. *Requests* the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem;

7. *Invites* Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people;

8. *Requests* the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

59th plenary meeting
6 December 1990

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[64] United Nations, *Treaty Series*, vol. 75, No. 973.

[65] S/19443; see *Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988*, document S/19443.

[66] S/21919 and Corr.1; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990*, document S/21919.

45/82. Co-operation between the United Nations and the League of Arab States

The General Assembly,

Recalling its previous resolutions on the promotion of co-operation between the United Nations and the League of Arab States, in particular resolution 44/7 of 17 October 1989,

Having considered the report of the Secretary-General on co-operation between the United Nations and the League of Arab States,[67]

Recalling also the Articles of the Charter of the United Nations which encourage activities through regional arrangements for the promotion of the purposes and principles of the United Nations,

Noting with appreciation the desire of the League of Arab States to consolidate and develop the existing ties with the United Nations in all areas relating to the maintenance of international peace and security, and to co-operate in every possible way with the United Nations in the implementation of United Nations resolutions relating to Lebanon and to the question of Palestine and the situation in the Middle East,

Aware of the vital importance for the countries members of the League of Arab States of achieving a just, comprehensive and durable solution to the Middle East conflict and the question of Palestine, the core of the conflict,

Realizing that the strengthening of international peace and security is directly related, *inter alia,* to disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination,

Taking note with satisfaction of the conclusions and recommendations adopted at the joint meeting of the representatives of the organizations of the United Nations system and the representatives of the League of Arab States and its specialized organizations, held at Geneva from 18 to 20 July 1990,[68]

Convinced that the maintenance and further strengthening of co-operation between the United Nations system and the League of Arab States contribute to the promotion of the purposes and principles of the United Nations,

Recognizing the need for closer co-operation between the United Nations system and the League of Arab States and its specialized organizations in realizing the goals and objectives set forth in the Strategy for Joint Arab Economic Development adopted by the Eleventh Arab Summit Conference, held at Amman from 25 to 27 November 1980,[69]

Having heard the statement of the Acting Permanent Observer of the League of Arab States of 25 October 1990 on co-operation between the United Nations and the League of Arab States,[70] and having noted the emphasis placed therein on follow-up actions and procedures on the recommendations in the political, social and cultural fields adopted at the meetings between the representatives of the General Secretariat of the League of Arab States and its specialized organizations and the secretariats of the United Nations and other organizations of the United Nations system, held at Tunis from 28 June to 1 July 1983,[71] at Geneva from 29 June to 1 July 1988[72] and from 18 to 20 July 1990,[68] as well as on the recommendations relating to political matters contained in the relevant resolutions of the General Assembly,

1. *Takes notes with satisfaction* of the report of the Secretary-General;

2. *Expresses its appreciation* to the Secretary-General for the follow-up action taken by him to implement the proposals adopted at the meetings between the representatives of the secretariats of the United Nations and other organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations held at Tunis, Amman and Geneva;

3. *Expresses its appreciation also* to the Secretary-General for his efforts to implement Security Council resolution 425 (1978) of 19 March 1978 and commends the League of Arab States and its Tripartite High Committee for their endeavours to resolve the crisis in Lebanon;

4. *Requests* the Secretary-General to continue to strengthen co-operation with the General Secretariat of the League of Arab States for the purpose of implementing United Nations resolutions relating to the question of Palestine and the situation in the Middle East in order to achieve a just, comprehensive and durable solution to the Middle East conflict and the question of Palestine, the core of the conflict;

5. *Requests* the Secretariat of the United Nations and the General Secretariat of the League of Arab States, within their respective fields of competence, further to intensify their co-operation towards the realization of the purposes and principles of the Charter of the United Nations, the strengthening of international peace and security, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination;

6. *Also requests* the Secretary-General to continue his efforts to strengthen co-operation and co-ordination between the United Nations and other organizations of the United Nations system and the League of Arab States and its specialized organizations in order to enhance their capacity to serve the mutual interests of the two organizations in the political, economic, social and cultural fields;

7. *Further requests* the Secretary-General to continue to co-ordinate the follow-up action to facilitate the implementation of the proposals of a multilateral nature adopted at the Tunis meeting in 1983, and to take appropriate action regarding the multilateral proposals adopted at the Amman meeting in 1985, and at the Geneva meetings in 1988 and 1990, including the following:

(*a*) Promotion of contacts and consultations between the counterpart programmes of the United Nations system;

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[67] A/45/481 and Add.1.

[68] A/45/481/Add.1.

[69] See A/35/719-S/14289, annex.

[70] See *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings,* 35th meeting (A/45/PV.35).

[71] A/38/299 and Corr.1, sect. V.

[72] A/43/509/Add.1.

(*b*) Setting up joint sectoral inter-agency working groups;

8. *Calls upon* the specialized agencies and other organizations and programmes of the United Nations system:

(*a*) To continue to co-operate with the Secretary-General and the programmes, organizations and agencies concerned within the United Nations system and the League of Arab States and its specialized organizations in the follow-up of multilateral proposals aimed at strengthening and expanding co-operation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

(*b*) To maintain and increase contacts and consultations with the counterpart programmes, organizations and agencies concerned regarding projects of a bilateral nature, in order to facilitate their implementation;

(*c*) To associate whenever possible with organizations and institutions of the League of Arab States in the execution and implementation of development projects in the Arab region;

(*d*) To inform the Secretary-General, not later than 15 May 1991, of the progress of their co-operation with the League of Arab States and its specialized organizations, in particular the follow-up action taken on the multilateral and bilateral proposals adopted at the Tunis, Amman and Geneva meetings;

9. *Decides* that, in order to intensify co-operation and for the purpose of review and appraisal of progress as well as to prepare comprehensive periodic reports, a general meeting between the United Nations system and the League of Arab States should take place once every two years and inter-agency sectoral meetings should be organized annually on areas of priority and wide importance in the development of the Arab States and the meeting of the sectoral co-ordinators should be held during 1991, the time and place to be determined by consultations between the United Nations and the League of Arab States;

10. *Recommends* that the United Nations and the other organizations of the United Nations system should utilize Arab expertise to the extent possible in projects undertaken in the Arab region;

11. *Requests* the Secretary-General of the United Nations, in co-operation with the Secretary-General of the League of Arab States, to encourage periodic consultations between representatives of the Secretariat of the United Nations and of the General Secretariat of the League of Arab States to review and strengthen co-ordination mechanisms with a view to accelerating implementation and follow-up action of multilateral projects and proposals adopted by the general meeting of the two organizations;

12. *Recommends* that a joint meeting between representatives of the organizations of the United Nations system and of the League of Arab States and its specialized organizations should be organized in 1992 in order to review the progress achieved in the implementation of the two-year plan of action adopted at the 1990 meeting;

13. *Further requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a progress report on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Co-operation between the United Nations and the League of Arab States".

67th plenary meeting
13 December 1990

45/83. The situation in the Middle East

A

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987, 43/54 A to C of 6 December 1988 and 44/40 A to C of 4 December 1989,

Recalling Security Council resolutions 425 (1978) of 19 March 1978, 497 (1981) of 17 December 1981, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982, 659 (1990) of 31 July 1990, and other relevant resolutions,

Taking note of the reports of the Secretary-General of 15 October 1990,[73] 12 November 1990[62] and 26 November 1990,[74]

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[75] which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989,

Reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people,

Considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 44/42 of 6 December 1989 and other resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming also the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

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[73] A/45/595.

[74] A/45/726-S/21947; see *Official Records of the Security Council, Forty-fifth Year; Supplement for October, November and December 1990*, document S/21947.

[75] See A/37/696-S/15510, annex. For the printed text, see *Official Records of the Security Council, Thirty-seventh Year, Supplement for October, November and December 1982*, document S/15510, annex.

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[64] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. *Reaffirms its conviction* that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

2. *Reaffirms* that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. *Declares once more* that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986, 42/66 A to D of 2 December 1987, 43/54 A to C of 6 December 1988, and 43/175 A to C, 43/176, 43/177 of 15 December 1988 and 44/42;

4. *Considers* the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982,[75] which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, as well as relevant efforts and action to implement the Fez plan, as an important contribution towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East;

5. *Condemns* Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. *Rejects* all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. *Deplores* Israel's failure to comply with Security Council resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines that Israel's decision to annex Jerusalem and to declare it as its "capital" as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. *Condemns* Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. *Strongly condemns* the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the im-

position of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. *Considers* that the agreements on strategic cooperation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and *matériel* to Israel, augmented by substantial economic aid, including the Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

11. *Calls once more upon* all States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as of human resources, aimed at encouraging it to pursue its aggressive policies against the Arab countries and the Palestinian people;

12. *Strongly condemns* the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. *Reaffirms its call* for convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with the United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

14. *Endorses the call* for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. *Requests* the Secretary-General to report to the Security Council periodically on the development of the situation and to submit to the General Assembly at its forty-sixth session a comprehensive report covering the developments in the Middle East in all their aspects.

67th plenary meeting
13 December 1990

B

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 15 October 1990,[73]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986, 42/209 C of 11 December 1987, 43/54 B of 6 December 1988 and 44/40 B of 4 December 1989,

Recalling its resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia,* as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[64] to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting also that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497 (1981), thus failing to carry out its obligations under the Charter,

1. *Strongly condemns* Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B, 41/162 B, 42/209 C, 43/54 B and 44/40 B;

2. *Declares once more* that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

3. *Declares once more* that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan is illegal and therefore null and void and has no validity whatsoever;

4. *Declares* all Israeli policies and practices of, or aimed at, annexation of the Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. *Determines once more* that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Arab Golan are illegal and invalid and shall not be recognized;

6. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907,[76] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

7. *Determines once more* that the continued occupation of the Syrian Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. *Strongly deplores* the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

9. *Further deplores* any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

10. *Firmly emphasizes once more* its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which resulted in the effective annexation of that territory;

11. *Reaffirms once more* the overriding necessity of the total and unconditional withdrawal by Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. *Determines once more* that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

13. *Calls upon* all Member States to put an end to the flow to Israel of any military, economic, financial and technological aid, as well as human resources, aimed at prolonging Israeli occupation of the Arab territories or encouraging Israel to pursue its aggressive policy against the Arab countries and the Palestinian people;

14. *Urges* non-member States to act in accordance with the provisions of the present resolution;

15. *Calls upon* the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

16. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

67th plenary meeting
13 December 1990

C

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988 and 44/40 C of 4 December 1989, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia,* decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 15 October 1990,[73]

1. *Determines* that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

67th plenary meeting
13 December 1990

45/145. Law of the sea

The General Assembly,

Recalling its previous resolutions, including resolution 44/26 of 20 November 1989, regarding the law of the sea,

Recognizing that, as stated in the third preambular paragraph of the United Nations Convention on the Law of the Sea,[59] the problems of ocean space are closely interrelated and need to be considered as a whole,

Convinced that it is important to safeguard the unified character of the Convention and related resolutions adopted therewith and to apply them in a manner consistent with that character and with their object and purpose,

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[76] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

Emphasizing the need for States to ensure consistent application of the Convention, as well as the need for harmonization of national legislation with the provisions of the Convention,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as "the Area"), as well as the resources of the Area, are the common heritage of mankind,

Recalling that the Convention provides the régime to be applied to the Area and its resources,

Recalling with satisfaction the expressions of willingness to explore all possibilities of addressing issues, as referred to in the statements made at the end of the meeting of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, held in New York from 14 August to 1 September 1989, in order to secure universal participation in the Convention,[77]

Recognizing the need for co-operation in the early and effective implementation by the Preparatory Commission of resolution II of the Third United Nations Conference on the Law of the Sea,[78]

Noting with satisfaction the progress made in the Preparatory Commission since its inception, including the registration in 1987 as pioneer investors of the Institut français de recherche pour l'exploitation de la mer (IFREMER), the Government of India, Deep Ocean Resources Development Co., Ltd. (DORD) and Yuzhmorgeologiya, whose applications were submitted by the Governments of France, India, Japan and the Union of Soviet Socialist Republics respectively, bearing in mind that such registration entails both rights and obligations,

Recalling with satisfaction the designation by the Preparatory Commission of reserved areas for the Authority from the application areas submitted by the pioneer investors pursuant to resolution II,

Noting the submission to the Preparatory Commission of an application by the Government of China on behalf of the China Ocean Mineral Resources Research and Development Association (COMRA) for registration as a pioneer investor under resolution II,[79]

Noting also the increasing needs of countries, especially developing countries, for information, advice and assistance in the implementation of the Convention and in their developmental process for the full realization of the benefits of the comprehensive legal régime established by the Convention,

Concerned that the developing countries are as yet unable to take effective measures for the full realization of these benefits owing to the lack of resources and of the necessary scientific and technological capabilities,

Recognizing the need to enhance and supplement the efforts of States and competent international organizations to enable developing countries to acquire such capabilities,

Recognizing also that the Convention encompasses all uses and resources of the sea and that all related activities within the United Nations system need to be implemented in a manner consistent with it,

Noting with appreciation the initiative of the Secretary-General to promote dialogue aimed at achieving universal participation in the Convention,[80]

Deeply concerned at the current state of the marine environment,

Mindful of the importance of the Convention for the protection of the marine environment,

Noting with concern the use of fishing methods and practices that can have an adverse impact on the conservation and management of marine living resources,

Recalling that States have a duty to take, or co-operate with other States in taking, such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

Conscious of the urgent need to increase the scientific knowledge of the marine environment,

Taking note of activities carried out in 1990 under the major programme on marine affairs, set forth in chapter 25 of the medium-term plan for the period 1984-1989 and extended for the period 1990-1991, in accordance with the report of the Secretary-General,[81] as approved in General Assembly resolution 38/59 A, and the report of the Secretary-General,[82]

Recalling its approval of the financing of the expenses of the Preparatory Commission from the regular budget of the United Nations,

Taking special note of the report of the Secretary-General prepared in pursuance of paragraph 20 of General Assembly resolution 44/26,[82]

1. *Recalls* the historic significance of the United Nations Convention on the Law of the Sea as an important contribution to the maintenance of peace, justice and progress for all peoples of the world;

2. *Expresses its satisfaction* at the increasing and overwhelming support for the Convention, as evidenced, *inter alia*, by the one hundred and fifty-nine signatures and forty-five of the sixty ratifications or accessions required for entry into force of the Convention;

3. *Invites* all States to make renewed efforts to facilitate universal participation in the Convention;

4. *Calls upon* all States that have not done so to consider ratifying or acceding to the Convention at the earliest possible date to allow the effective entry into force of the new legal régime for the uses of the sea and its resources;

5. *Calls upon* all States to safeguard the unified character of the Convention and related resolutions adopted therewith and to apply them in a manner consistent with that character and with their object and purpose;

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[77] See A/44/650 and Corr.1, paras. 156 and 158.

[78] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/121, annex I.

[79] LOS/PCN/113.

[80] See A/45/721 and Corr.1, para. 14.

[81] A/38/570 and Corr.1 and Add.1 and Add.1/Corr.1.

[82] A/45/721 and Corr.1.

6. *Also calls upon* States to observe the provisions of the Convention when enacting their national legislation;

7. *Notes* the progress being made by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea in all areas of its work;

8. *Notes with satisfaction* the Understanding on the Fulfilment of Obligations by the Registered Pioneer Investors and their Certifying States adopted by the Preparatory Commission on 30 August 1990;[83]

9. *Expresses its appreciation* to the Secretary-General for his efforts in support of the Convention and for the effective execution of the major programme on marine affairs set forth in chapter 25 of the medium-term plan for the period 1984-1989 and extended for the period 1990-1991 and requests him to take into account the prospective entry into force of the Convention and the increased needs of States for assistance in the implementation of the Convention in the medium-term plan for the period 1992-1997;

10. *Also expresses its appreciation* to the Secretary-General for the report prepared in pursuance of paragraph 20 of General Assembly resolution 44/26[82] and requests him to carry out the activities outlined therein, as well as those aimed at the strengthening of the legal régime of the sea, special emphasis being placed on the work of the Preparatory Commission, including the implementation of resolution II of the Third United Nations Conference on the Law of the Sea;

11. *Welcomes* regional efforts by developing countries to integrate the ocean sector in national development plans and programmes through the process of international co-operation and assistance, in particular the recent initiatives mentioned in the report of the Secretary-General;[84]

12. *Calls upon* the Secretary-General to continue to assist States in the implementation of the Convention and in the development of a consistent and uniform approach to the legal régime thereunder, as well as in their national, subregional and regional efforts towards the full realization of the benefits therefrom, and invites the organs and organizations of the United Nations system to co-operate and lend assistance in these endeavours;

13. *Urges* interested Member States, in particular States that have advanced marine capabilities, to review relevant policies and programmes in the context of the integration of the marine sector in national development strategies, and to explore prospects for intensifying co-operation with developing States, including States of regions active in this field;

14. *Requests* the competent international organizations, the United Nations Development Programme, the World Bank and other multilateral funding agencies, in accordance with their respective policies, to intensify financial, technological, organizational and managerial assistance to the developing countries in their efforts to realize the benefits of the comprehensive legal régime established by the Convention and to strengthen co-operation among themselves and with donor States in the provision of such assistance;

15. *Welcomes* the report of the Secretary-General submitted pursuant to paragraph 13 of General Assembly resolution 44/26, in which were identified the needs of States in regard to the development and management of ocean resources and the measures currently taken by States and by the competent international organizations in responding to those needs,[85] and requests the Secretary-General to transmit that report to all Member States and competent international organizations, agencies and bodies for their review and to take their comments into account in the preparation of the report to be submitted to the Assembly at its forty-sixth session;

16. *Approves* the decision of the Preparatory Commission to hold its ninth regular session at Kingston from 25 February to 22 March 1991 and to hold a summer meeting in New York in 1991;

17. *Recognizes* that the protection of the marine environment will be significantly enhanced by the implementation of applicable provisions of the Convention;

18. *Expresses its appreciation* to the Secretary-General for the study on marine scientific research submitted pursuant to paragraph 19 of General Assembly resolution 44/26,[86] in which it was underscored that research and monitoring needs in the field of marine science call for enhanced international co-operation in order to provide a sound basis for resource management and the protection and preservation of the marine environment and for the study of the influence of the oceans on the global environment;

19. *Reiterates its call* to States and other members of the international community to strengthen their co-operation in the conservation of marine living resources, including the prevention of the use of fishing methods and practices that can have an adverse impact on the conservation and management of marine living resources;

20. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on developments pertaining to the Convention and all related activities and on the implementation of the present resolution;

21. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Law of the sea".

68th plenary meeting
14 December 1990

45/176. Policies of *apartheid* of the Government of South Africa

A

INTERNATIONAL EFFORTS TO ERADICATE *APARTHEID*

The General Assembly,

Reaffirming the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, contained in the annex to its resolution S-16/1 of 14 December 1989, and its resolution 44/244 of 17 September 1990,

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[83] LOS/PCN/L.87, annex.

[84] See A/45/721 and Corr.1, paras. 16-19.

[85] A/45/712.

[86] A/45/563.

Having considered the report of the Special Committee against *Apartheid,*[87] and the report of the Secretary-General on progress made in the implementation of the Declaration,[88]

Convinced that the total eradication of *apartheid* and the establishment, through broad-based negotiations, of a non-racial democracy based on a new constitutional order providing for universal, equal suffrage under a non-racial voters' roll can lead to a peaceful and lasting solution to the problems facing the people of South Africa,

Also convinced that the policy and practice of *apartheid* breeds violence and its continuation would be detrimental to the vital interests of all the people of South Africa,

Gravely concerned at the continuing repression of the majority population in South Africa through the *apartheid* system, manifested, *inter alia,* by detentions without trial, continued possibility of executions of political prisoners, absence of full implementation of agreements regarding the return of political exiles without restrictions and repressive provisions in the Internal Security Act,

Noting that, while some significant measures in the right direction have been undertaken by the South African authorities, including the recent repeal of the Separate Amenities Act and the lifting of the state of emergency throughout the country, continuing effort is needed to facilitate free political activity and to foster a climate fully conducive to negotiations,

Welcoming the ongoing talks between the African National Congress of South Africa and the South African authorities aimed at facilitating the commencement of substantive broad-based negotiations,

Noting that the African National Congress, in an effort to contribute to an atmosphere free of violence, which is in accordance with the guidelines of the Declaration, and further to the agreements set out in the Pretoria Minute of 6 August 1990,[89] has suspended its armed activities,

Gravely concerned that the recurring violence resulting largely from the persistence of *apartheid* and other factors, including actions of those opposed to the democratic transformation of South Africa, poses a threat to the negotiating process,

Noting with serious concern the continuing effects of the acts of aggression and destabilization that have been committed by South Africa against neighbouring independent African States, in particular against Angola and Mozambique,

Noting that the international community has generally adhered to the programme of action contained in the Declaration,[90] and expressing its concern over any departures that have occurred from the international consensus reflected in the Declaration,

Recognizing the responsibility of the United Nations and the international community to take all necessary measures aimed at the eradication of *apartheid* through peaceful means, in particular by adhering to the programme of action contained in the Declaration by maintaining the measures aimed at encouraging the South African authorities to eradicate *apartheid* and to promote profound and irreversible change,

1. *Reaffirms* its support for the legitimate struggle of the South African people for the total eradication of *apartheid* and the establishment of a united, non-racial and democratic society in South Africa in which all its people, irrespective of race, colour, sex or creed, will enjoy the same fundamental freedoms and human rights;

2. *Takes note* of Pretoria's declared commitment to abolish the *apartheid* system;

3. *Reaffirms* the provisions of the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa and the need for their full and immediate implementation;

4. *Fully supports* the efforts of the South African people to arrive at a peaceful settlement of the problems in their country through genuine negotiations, and welcomes the fact that the African National Congress of South Africa and the South African régime have engaged in talks that have thus far resulted in the agreements set out in the Groote Schuur Minute of 4 May 1990[91] and in the Pretoria Minute, aimed at facilitating the commencement of substantive negotiations;

5. *Calls upon* the South African authorities to continue their efforts to foster a climate fully conducive to negotiations and free political activity, in particular by repealing all repressive legislation, such as provisions in the Internal Security Act, by ending detentions without trial, by allowing the return of all political exiles without restrictions and by fully implementing all agreements reached so far with the African National Congress, including the release of all remaining political prisoners;

6. *Calls* for a speedy and full implementation of the agreements reached so far between the South African régime and the African National Congress;

7. *Welcomes* the progress made thus far aimed at facilitating the commencement of substantive broad-based negotiations and encourages all parties concerned, taking into account the guidelines to the process of negotiations contained in the Declaration,[92] to participate fully in future negotiations, in order to secure the adoption of a new constitution and the establishment of a united, non-racial and democratic South Africa;

8. *Calls* for an immediate end to violence, which has resulted largely from the continued existence of the *apartheid* policies, practices and structures;

9. *Calls upon* the South African authorities to redouble their efforts to end recurring violence by ensuring effective and impartial actions by all branches of government and all competent authorities against all those responsible for violence, including vigilante groups, and calls upon all parties concerned to contribute to the establishment of an atmosphere free of violence;

10. *Considers* that while the South African authorities have declared their intention to eradicate *apartheid*

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[87] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 22* (A/45/22).

[88] A/44/960 and Add.1-3.

[89] See A/44/976.

[90] Resolution S-16/1, annex, sect. C.

[91] A/45/268, annex.

[92] Resolution S-16/1, annex, sect. B.

and embark on negotiations for a new constitution, the process of change in South Africa remains at an early stage and further substantive progress needs to be made to promote the profound and irreversible changes called for in the Declaration;

11. *Calls upon* all Governments and intergovernmental organizations to adhere strictly to the programme of action contained in the Declaration by maintaining the measures aimed at applying pressure on the South African régime to eradicate *apartheid* and to promote profound and irreversible changes, bearing in mind the objectives of the Declaration, namely, the speedy eradication of *apartheid* and the establishment of a united, democratic, non-racial South Africa;

12. *Calls upon* all Governments, intergovernmental organizations and financial institutions to use concerted and effective measures, particularly in the areas of economic and financial relations with *apartheid* South Africa, aimed at applying pressure to ensure a speedy end to *apartheid*;

13. *Calls upon* all Governments to observe fully the mandatory arms embargo and requests the Security Council to monitor effectively the strict implementation of the arms embargo;

14. *Appeals* to all Governments and organizations to render all possible assistance to the front-line States, particularly Angola and Mozambique, to enable them to reconstruct their economies, which have been devastated from years of destabilization;

15. *Appeals* to all States, organizations and institutions to increase economic, humanitarian, legal, educational and other assistance and support to the victims of *apartheid* and to all those, including previously banned organizations, who oppose *apartheid* and promote a united, non-racial, democratic society in South Africa;

16. *Urges* the international community and the Secretary-General, through the relevant United Nations agencies, to provide all possible assistance to facilitate the re-establishment of previously banned political organizations in South Africa as well as the reintegration of released political prisoners and returning South African refugees and exiles;

17. *Requests* the Secretary-General to ensure the co-ordination of activities of the United Nations system in the implementation of the Declaration and report thereon to the General Assembly at its forty-sixth session, and to continue monitoring the implementation of the Declaration as well as pursuing appropriate initiatives to facilitate all efforts leading to the peaceful eradication of *apartheid*.

70th plenary meeting
19 December 1990

B

CONCERTED AND EFFECTIVE MEASURES AIMED AT ERADICATING *APARTHEID*

The General Assembly,

Recalling the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, adopted by consensus on 14 December 1989 at its sixteenth special session,[53] and its resolution 44/244 of 17 September 1990,

Recalling also its resolution 44/27 K of 22 November 1989 and other relevant resolutions,

Taking note of the report of the Special Committee against *Apartheid*[87] and of the reports of the Secretary-General on international financial pressure on the *apartheid* economy of South Africa[93] and measures to monitor sanctions undertaken by the United Nations system, Governments and non-governmental agencies,[94]

Gravely concerned that, in spite of recent positive developments in South Africa, the system of *apartheid* and most of its main pillars, namely, the Land Acts, the Group Areas Act, the Population Registration Act, the Bantu Education Act and the acts establishing the tricameral Parliament and the bantustan system, still remain intact,

Convinced that sanctions and other restrictive measures have had a significant impact on recent developments in South Africa and remain a most effective and necessary instrument of pressure towards the peaceful resolution of the conflict in that country,

Strongly convinced that the imposition of comprehensive and mandatory sanctions by the Security Council under Chapter VII of the Charter of the United Nations remains the most appropriate and effective means to bring about a peaceful end to *apartheid*,

Noting that the States Members of the United Nations and the members of the international community have generally adhered to the programme of action contained in the Declaration[90] and expressing its concern over any departures that have occurred from the international consensus reflected in the Declaration,

Gravely concerned that some Member States and transnational corporations have continued economic relations with South Africa, while others continue to undermine the sanctions imposed by other States, by establishing and/or increasing their trade with that country, as borne out in the report of the Special Committee,

Noting with concern that sanctions and other measures adopted by the General Assembly, as well as measures introduced unilaterally by a number of States, lack co-ordination, monitoring and enforcement mechanisms,

Considering that measures taken by States individually or collectively, while commendable, vary in coverage and degree of monitoring and enforcement, and are not always addressed to those areas of the South African economy which are responsive to international pressures,

Noting with concern the recent talks between the International Monetary Fund and representatives of the South African régime and any consideration by the Fund of loans to South Africa,

Commending those States which have not relaxed their existing measures and maintained their commitment to the international consensus expressed in the programme of action contained in the Declaration, whereby Member States of the United Nations decided that the international community should not relax existing measures,

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[93] A/45/539.

[94] A/45/670.

1. *Reaffirms* that *apartheid* is a crime against the conscience and dignity of humankind and a threat to international peace and security, and that it is a primary responsibility of the United Nations to assist in efforts to eliminate it without further delay;

2. *Calls upon* all States, especially those States which have increased or initiated trade, financial and other links with South Africa, in particular the leading trading partners of South Africa, as indicated in the annual report of the Special Committee against *Apartheid*, to adhere fully to the programme of action contained in the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa;

3. *Calls upon* all States to maintain existing measures aimed at applying pressure on *apartheid* South Africa, particularly in the following areas:

(*a*) Supply of all products, in particular computer and communications equipment, technologies, skills and services, including military intelligence, that can be used for the military and nuclear industry of South Africa;

(*b*) Import of coal, gold and other minerals and agricultural products from South Africa;

(*c*) Effective withdrawal of transnational corporations, banks and financial institutions from South Africa by ceasing equity investment and by cutting off non-equity links, particularly those involving transfer of high technology and know-how;

(*d*) Provision of new credits and loans;

(*e*) Double taxation agreements with South Africa and any form of tax relief in respect of income from investments in that country;

(*f*) Landing and port rights to South African air and sea carriers and direct air, sea and other transport links with South Africa;

4. *Appeals* to all Governments, organizations and individuals to refrain from any sports relations with South Africa and not entertain any cultural or academic links unless any particular activity in the cultural and academic fields has the intent and effect of opposing *apartheid* in line with United Nations policy on this matter, and to give appropriate assistance in these fields to the anti-*apartheid* forces and to the disadvantaged sections of South African society;

5. *Urges* Governments and private financial institutions, as well as the International Monetary Fund and the World Bank, not to extend loans and credits to South Africa, whether to the public or private sector, until there is clear evidence of profound and irreversible changes in South Africa, bearing in mind the objectives of the Declaration;

6. *Urges* all States to close existing loopholes in their existing measures, monitor strictly their implementation and adopt and apply, when necessary, legislation providing for penalties on individuals and enterprises violating those measures;

7. *Requests* the Special Committee to continue to monitor the implementation of existing measures aimed at the eradication of *apartheid*, and to report thereon to the General Assembly and the Security Council as appropriate;

8. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

70th plenary meeting
19 December 1990

C

MILITARY COLLABORATION WITH SOUTH AFRICA

The General Assembly,

Recalling the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, adopted by consensus on 14 December 1989 at its sixteenth special session,[53] and its resolution 44/244 of 17 September 1990,

Recalling its resolutions and those of the Security Council on the arms embargo, as well as other resolutions on collaboration with South Africa,

Taking note of the report of the Special Committee against *Apartheid*[67] and the report of the Security Council Committee established by Council resolution 421 (1977) of 9 December 1977 concerning the question of South Africa on its activities during the period 1980-1989,[95]

Noting with grave concern that the mandatory sanctions imposed by the Security Council in its resolution 418 (1977) of 4 November 1977 lack an effective monitoring and enforcement mechanism,

Noting with appreciation the resolve and coerciveness of the Security Council in its handling of questions relating to the preservation of international peace and security,

Reiterating that the full implementation of the arms embargo against South Africa is an essential element of international action against *apartheid*,

Expressing serious concern at the increasing number of violations of the mandatory arms embargo, particularly by those countries which surreptitiously continue to trade in arms with South Africa and allow South Africa to participate in international arms exhibitions,

Gravely concerned at the practice carried out by certain oil-producing States whereby oil is exchanged for South African arms,

Noting with concern that South Africa's external military relations, especially in the area of military technology and, in particular, in the production and testing of nuclear missiles, continue unabated,

1. *Strongly deplores* the actions of those States which, directly or indirectly, continue to violate the arms embargo and collaborate with South Africa in the military, nuclear, intelligence and technology fields, and calls upon those States to terminate forthwith such hostile acts and honour their obligations under Security Council resolution 421 (1977);

2. *Urges* all States to adopt strict legislation relating to the implementation of the arms embargo and prohibit the supply to South Africa of all products, in particular computer and communications equipment, technologies, skills and services, including military intelligence, that can be used for the military and nuclear industry of that country;

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[95] S/21015.

3. *Urges* the Security Council to consider immediate steps to ensure the scrupulous and full implementation and the effective monitoring of the arms embargo imposed by Council resolutions 418 (1977) and 558 (1984) of 13 December 1984, to consider strengthening the monitoring and the reporting of violations of the arms embargo and to provide information on a regular basis to the Secretary-General for general distribution to Member States;

4. *Also urges* the Security Council to implement the recommendations of the report of the Committee established under Council resolution 421 (1977)[95] concerning appropriate measures against those States violating the mandatory arms embargo against South Africa;

5. *Requests* the Special Committee against *Apartheid* to keep the matter under constant review and to report thereon to the General Assembly and the Security Council as appropriate.

70th plenary meeting
19 December 1990

D

RELATIONS BETWEEN SOUTH AFRICA AND ISRAEL

The General Assembly,

Recalling its previous resolutions concerning the relations between South Africa and Israel and, in particular, its resolution 44/27 F of 22 November 1989,

Having considered the report of the Special Committee against *Apartheid* on recent developments concerning relations between South Africa and Israel,[96] and the report of the Secretary-General on South Africa's nuclear-tipped ballistic missile capability,[97]

Noting with concern that the military relations between South Africa and Israel, especially in the area of military technology and in particular the collaboration in the recent production and testing of nuclear missiles, continue unabated,

1. *Condemns* the collaboration of Israel with the South African régime in the military and nuclear fields;

2. *Reiterates its demand* that Israel desist from and terminate forthwith all forms of collaboration with South Africa, particularly in the military and nuclear fields;

3. *Urges* the Security Council to take appropriate measures against Israel for its violation of the mandatory arms embargo against South Africa;

4. *Requests* the Special Committee against *Apartheid* to continue to monitor the relations between South Africa and Israel and keep them under constant review and report to the General Assembly and the Security Council as appropriate.

70th plenary meeting
19 December 1990

E

PROGRAMME OF WORK OF THE SPECIAL COMMITTEE AGAINST *APARTHEID*

The General Assembly,

Having considered the report of the Special Committee against *Apartheid*,[87]

1. *Commends* the Special Committee against *Apartheid* for the diligent manner in which it has discharged its responsibilities in monitoring the situation in South Africa and promoting international action against *apartheid*;

2. *Takes note* of the report of the Special Committee and endorses its recommendations relating to its programme of work;

3. *Authorizes* the Special Committee, in accordance with its mandate and acting, with the support services of the United Nations Centre against *Apartheid*, as the focal point for the international campaign against *apartheid* and the promotion of the implementation of the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa:[53]

(*a*) To continue monitoring closely developments in South Africa and the actions of the international community, particularly regarding the need for maintaining pressure on South Africa as called for in the Declaration;

(*b*) To continue mobilizing international action against *apartheid, inter alia,* through collection, analysis and dissemination of information, through liaison and consultations with Governments, intergovernmental and non-governmental organizations and relevant individuals and groups, both inside and outside South Africa, able to influence public opinion and decision-making, and through missions, hearings, conferences, publicity and other relevant activities;

(*c*) To publish an interim annual report during the first half of 1991 on developments in South Africa and on the international response thereto and, in this context, undertake, as appropriate, consultations with the parties concerned;

4. *Appeals* to all Governments, intergovernmental and non-governmental organizations to increase their co-operation with the Special Committee and the Centre in the discharge of their mandates;

5. *Requests* all United Nations bodies, organs and agencies to co-operate with the Special Committee and the Centre in their activities in order to ensure consistency, improve co-ordination and efficient use of available resources and avoid duplication of efforts in the implementation of the relevant resolutions of the General Assembly and the Security Council;

6. *Requests* Governments and organizations to provide financial and other assistance for the special projects of the Special Committee and to make generous contributions to the Trust Fund for Publicity against *Apartheid*;

7. *Appeals* to all Governments, intergovernmental and non-governmental organizations, information media and individuals to co-operate with the Centre and the Department of Public Information of the Secretariat in their activities relating to *apartheid* and, in particular, in disseminating information on the evolving situation in South Africa;

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[96] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 22* (A/45/22), part two.

[97] A/45/571 and Corr.1.

8. *Decides* to continue the authorization of adequate financial provision in the regular budget of the United Nations to enable the African National Congress of South Africa and the Pan Africanist Congress of Azania to maintain offices in New York in order to participate effectively in the deliberations of the Special Committee and other appropriate bodies;

9. *Decides* to make a special allocation of 480,000 United States dollars to the Special Committee for 1991 from the regular budget of the United Nations to cover the cost of special projects to be decided upon by the Committee.

70th plenary meeting
19 December 1990

F

OIL EMBARGO AGAINST SOUTH AFRICA

The General Assembly,

Having considered the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa,[98] as well as its interim report, which was adopted unanimously on 12 June 1990,[99]

Recalling its resolution 44/244 of 17 September 1990, in which it reaffirmed the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, which was adopted by consensus on 14 December 1989 by the General Assembly at its sixteenth special session,[53]

Recalling also its resolutions on the oil embargo against South Africa, in particular resolution 44/27 H of 22 November 1989,

Recognizing the importance of the oil embargo and other existing measures imposed by the international community on the *apartheid* régime towards the elimination of *apartheid* through negotiations, as well as the importance of maintaining these measures until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration,

Noting that, while oil-exporting States have committed themselves to an oil embargo against South Africa, very few major shipping States have done so,

Concerned that the oil embargo against South Africa is still being violated and that South Africa, because of loopholes in the embargo, such as lack of effective legislation, has been able to acquire oil and petroleum products,

Convinced that an effective oil embargo against South Africa would contribute to the efforts of the international community to bring about a negotiated settlement and the establishment of a united, non-racial and democratic South Africa,

1. *Takes note* of the report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa[98] and endorses its recommendations;

2. *Commends* the proposed model law for the effective enforcement of the oil embargo against South Africa annexed to the annual report of the Intergovernmental Group to States for their attention, including consideration of the adoption of the general principles of the draft within the context and framework of their own legal practices;

3. *Urges* the Security Council to take action under appropriate provisions of the Charter of the United Nations to ensure an effective embargo on the supply and shipping of oil and petroleum products to South Africa in order to effect a speedy and peaceful eradication of *apartheid*;

4. *Requests* all States, pending such decisions, to adopt effective measures and/or legislation to broaden the scope of the oil embargo in order to ensure the complete cessation of the supply and shipping of oil and petroleum products to South Africa, whether directly or indirectly, and in particular:

(*a*) To apply strictly the "end users" clause and other conditions concerning restriction on destination to ensure compliance with the embargo;

(*b*) To compel the companies originally selling or purchasing oil or petroleum products, as appropriate to each nation, to desist from selling, reselling or otherwise transferring oil and petroleum products to South Africa, whether directly or indirectly;

(*c*) To establish strict control over the supply of oil and petroleum products to South Africa by intermediaries, oil companies and traders by placing responsibility for the fulfilment of the contract on the first buyer or seller of oil and petroleum products who would, therefore, be liable for the actions of these parties;

(*d*) To prevent access by South Africa to other sources of energy, including the supply of raw materials, technical know-how, financial assistance and transport;

(*e*) To prohibit all assistance to *apartheid* South Africa, including the provision of finance, technology, equipment or personnel for the prospecting, development or production of hydrocarbon resources, the construction or operation of oil-from-coal or oil-from-gas plants or the development and operation of plants producing fuel substitutes and additives such as ethanol and methanol;

(*f*) To prevent South African corporations from maintaining or expanding their holdings in oil companies or properties outside South Africa;

(*g*) To terminate the transport of oil and petroleum products to South Africa by ships flying their flags, or by ships that are ultimately owned, managed or chartered by their nationals or by companies within their jurisdiction;

(*h*) To develop a system for registration of ships, registered or owned by their nationals, that have unloaded oil or petroleum products in South Africa in contravention of embargoes imposed, and to discourage such ships from calling at South African ports;

(*i*) To impose penal action against companies and individuals that have been involved in violating the oil embargo, and to publicize cases of successful prosecutions in conformity with their national laws;

(*j*) To gather, exchange and disseminate information regarding violations of the oil embargo, including ways and means to prevent such violations, and to take concerted measures against violators;

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[98] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 43* (A/45/43).

[99] *Ibid., Forty-fourth Session, Supplement No. 44,* addendum (A/44/44/Add.1).

(*k*) To discourage ships capable of carrying oil or petroleum products in their national registries or owned or managed by companies or individuals within their jurisdiction from engaging in activities that give rise to violation of the oil embargo against South Africa, taking into account legislative and other measures already adopted;

5. *Authorizes* the Intergovernmental Group to take action to promote public awareness of the oil embargo against South Africa, including, when necessary, sending missions and participating in relevant conferences and meetings;

6. *Requests* the Intergovernmental Group to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution;

7. *Requests* all States to extend their co-operation to the Intergovernmental Group in the implementation of the present resolution, including submission of proposals for strengthening the mechanism to monitor the supply and shipment of oil and petroleum products to South Africa;

8. *Requests* the Secretary-General to provide the Intergovernmental Group with all necessary assistance for the implementation of the present resolution.

70th plenary meeting
19 December 1990

G

SUPPORT FOR THE WORK OF THE COMMISSION AGAINST *APARTHEID* IN SPORTS

The General Assembly,

Recalling its resolutions on the boycott of *apartheid* in sports and in particular resolution 32/105 M of 14 December 1977 by which it adopted the International Declaration against *Apartheid* in Sports, resolution 40/64 G of 10 December 1985, the annex to which contains the International Convention against *Apartheid* in Sports, and resolution 44/27 L of 22 November 1989,

Having considered the report of the Commission against *Apartheid* in Sports[100] and the relevant sections of the report of the Special Committee against *Apartheid*,[87]

Reiterating that the sports boycott of South Africa should be maintained until profound and irreversible changes aimed at the total eradication of *apartheid* take place in that country,

1. *Takes note* of the report of the Commission against *Apartheid* in Sports;

2. *Calls upon* the States that have signed the International Convention against *Apartheid* in Sports to ratify it and also calls upon other States to accede to it as soon as possible;

3. *Commends* those Governments, organizations and individual sportsmen and sportswomen who have taken action in accordance with the Register of Sports Contacts with South Africa with a view to achieving the total isolation of *apartheid* in sports;

4. *Requests* the Special Committee against *Apartheid* to continue issuing the Register of Sports Contacts with South Africa;

5. *Calls upon* those international sports organizations and federations which have not yet expelled South Africa or suspended its membership to do so without further delay;

6. *Calls upon* all Governments and sports organizations to maintain the sports boycott of South Africa until profound and irreversible changes take place in that country;

7. *Urges* Governments and the international sporting community to assist the non-racial sports movement in South Africa to redress the structural inequalities created and sustained by the *apartheid* State;

8. *Requests* the Secretary-General to provide the Commission against *Apartheid* in Sports with all needed assistance.

70th plenary meeting
19 December 1990

H

UNITED NATIONS TRUST FUND FOR SOUTH AFRICA

The General Assembly,

Recalling its resolutions on the United Nations Trust Fund for South Africa, in particular resolution 44/27 J of 22 November 1989,

Having considered the report of the Secretary-General on the United Nations Trust Fund for South Africa,[101] to which is annexed the report of the Committee of Trustees of the Trust Fund,

Taking note of resolution 44/244 adopted by consensus by the General Assembly on 17 September 1990, and in particular of its paragraph 8 relating to the reintegration of released political prisoners into the South African society,

Welcoming the release of Nelson Mandela and some other political prisoners, the suspension of executions and the unbanning of a number of political organizations, including the African National Congress of South Africa and the Pan Africanist Congress of Azania, and the lifting of the nation-wide state of emergency and the repeal of certain emergency regulations,

Remaining seriously concerned by the continued existence of basic laws sustaining the *apartheid* system and other discriminatory and repressive laws, rules and regulations in South Africa,

Concerned by the large number of political trials in 1990 and the continued application of criminal proceedings to cases that are clearly of a political nature,

Reaffirming that continued humanitarian and legal assistance by the international community is necessary to alleviate the plight of those persecuted under repressive and discriminatory legislation in South Africa and to facilitate the reintegration of released political prisoners,

Strongly convinced that continued contributions to the Trust Fund and to the voluntary agencies concerned are necessary to enable them to meet the extensive needs for humanitarian, legal and relief assistance in this crucial period,

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[100] *Ibid., Forty-fifth Session, Supplement No. 45* (A/45/45).

[101] A/45/550.

1. *Endorses* the report of the Secretary-General on the United Nations Trust Fund for South Africa;[101]

2. *Decides,* in view of the independence of Namibia, to delete paragraph (*e*) of the terms of reference of the Trust Fund;[102]

3. *Expresses its appreciation* to the Governments, organizations and individuals that have contributed to the Trust Fund and to the voluntary agencies engaged in rendering humanitarian and legal assistance to the victims of *apartheid* and racial discrimination in South Africa;

4. *Appeals* for generous contributions to the Trust Fund;

5. *Also appeals* for direct contributions to the voluntary agencies engaged in rendering assistance to the victims of *apartheid* and racial discrimination in South Africa;

6. *Commends* the Secretary-General and the Committee of Trustees of the Trust Fund for their persistent efforts to promote humanitarian and legal assistance to persons persecuted under repressive and discriminatory legislation in South Africa, as well as assistance to their families and to refugees from South Africa.

70th plenary meeting
19 December 1990

45/177. Restructuring and revitalization of the United Nations in the economic and social fields

The General Assembly,

Recalling its resolutions 32/197 of 20 December 1977, 41/213 of 19 December 1986, 42/170 of 11 December 1987, 43/174 of 9 December 1988, 43/213 of 21 December 1988, 44/103 of 11 December 1989 and decision 43/432 of 20 December 1988,

Recalling also Economic and Social Council resolutions 1988/77 of 29 July 1988, 1989/114 of 28 July 1989 and 1990/69 of 27 July 1990 and decision 1990/205 of 9 February 1990 on the revitalization of the Council,

Emphasizing the need to strengthen further the role and effectiveness of the United Nations through enhanced multilateral co-operation in the economic, social and related fields,

Emphasizing also the need for more effective and efficient functioning of the intergovernmental machinery of the United Nations and its secretariat support structures in the economic, social and related fields in order to enhance international economic co-operation and to promote the development of the developing countries,

Recalling the report of the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields,[103]

1. *Endorses* Economic and Social Council resolution 1990/69 on the revitalization of the Council, in which the Council gave a mandate to its President to undertake broad consultations with Member States;

2. *Takes note* of the report of the Secretary-General on the United Nations intergovernmental structure and functions in the economic and social fields;[104]

3. *Stresses* the need for more effective and efficient functioning of the intergovernmental machinery of the United Nations system in the economic, social and related fields in order to be more responsive to the needs of enhancing international economic co-operation and promoting the development of the developing countries;

4. *Decides* to reconvene, in a resumed session for a duration of one week in the second half of April 1991, for an in-depth consideration and negotiations of proposals for the restructuring and revitalization of the United Nations in the economic and social fields.

70th plenary meeting
19 December 1990

45/178. Critical economic situation in Africa

A

FINAL REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF THE UNITED NATIONS PROGRAMME OF ACTION FOR AFRICAN ECONOMIC RECOVERY AND DEVELOPMENT 1986-1990

The General Assembly,

Recalling its resolutions S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 42/163 of 8 December 1987, in which, *inter alia,* it decided to establish an *Ad Hoc* Committee of the Whole for the mid-term review and appraisal of the Programme of Action, and 43/27 of 18 November 1988 on the mid-term review and appraisal of the implementation of the Programme of Action,

Recalling also Economic and Social Council resolution 1990/75 of 27 July 1990 on the final review and appraisal of the Programme of Action,

Taking note of resolution CM/Res.1287 (LII) on the final review and appraisal of the Programme of Action, adopted by the Council of Ministers of the Organization of African Unity at its fifty-second ordinary session, held at Addis Ababa from 3 to 8 July 1990,[27]

Recalling further its resolution 45/13 of 7 November 1990 on co-operation between the United Nations and the Organization of African Unity, in which the Assembly, *inter alia,* decided that the final review and appraisal of the Programme of Action should be prepared by an *ad hoc* committee of the whole of the General Assembly,

Convinced that the final review and appraisal of the implementation of the Programme of Action by the General Assembly should be an occasion for an in-depth assessment of the actions taken in the implementation of the Programme, as well as the measures that are needed to sustain accelerated growth and development in Africa beyond 1991,

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[102] See A/45/550, para. 1.

[103] E/1988/75.

[104] A/45/714.

1. *Decides* to establish an *ad hoc* committee of the whole of the forty-fifth session of the General Assembly for the purpose of preparing, for the forty-sixth session, the final review and appraisal of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990;

2. *Decides also* that the *Ad Hoc* Committee of the Whole should meet for ten working days in September 1991 before the forty-sixth session of the General Assembly and that its Bureau should be constituted at the highest possible level and be composed of a Chairman, three Vice-Chairmen and a Rapporteur;

3. *Decides further* that the *Ad Hoc* Committee of the Whole, in carrying out its mandate, should submit its findings to the General Assembly and propose concrete measures and recommendations for sustained and sustainable growth and development in Africa beyond 1991;

4. *Urges* Member States, organs and bodies of the United Nations system to be represented at the highest possible level and participate actively in the work of the *Ad Hoc* Committee of the Whole;

5. *Requests* the Secretary-General to continue ensuring close co-operation and co-ordination with the Secretary-General of the Organization of African Unity concerning the contributions of various relevant organs, bodies and organizations of the United Nations system, including the Economic Commission for Africa, the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the United Nations Industrial Development Organization, the United Nations Conference on Trade and Development and the United Nations Children's Fund, in the context of the report of the Secretary-General, for the preparation of the final review and appraisal of the implementation of the Programme of Action;

6. *Decides* to call an organizational session not exceeding two working days of the *Ad Hoc* Committee of the Whole in April 1991 to adopt the arrangements for its work;

7. *Calls upon* the relevant United Nations agencies and organizations, including the United Nations Development Programme, to continue to provide adequate resources and the assistance required for the full implementation of projects and programmes undertaken in the framework of the Programme of Action;

8. *Requests* the Secretary-General to submit to the *Ad Hoc* Committee of the Whole his report on the implementation of the Programme of Action;

9. *Also requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

70th plenary meeting
19 December 1990

B

REPORT ON AFRICA'S COMMODITY PROBLEMS: TOWARDS A SOLUTION

The General Assembly,

Recalling resolution AHG/Res.177 (XXIV) adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-fourth ordinary session, held at Addis Ababa from 25 to 28 May 1988,[105] which requested the Secretary-General of the United Nations to establish a high-level expert group to examine the problems of African commodities in the context of the implementation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990,

Recalling also its resolutions S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 43/27 of 18 November 1988 on the mid-term review and appraisal of the implementation of the Programme of Action, and 43/12 of 25 October 1988 and 44/17 of 1 November 1989 on co-operation between the United Nations and the Organization of African Unity,

Aware of the predominantly important role that commodities play in the African economies and the importance of horizontal and vertical diversification, market promotion activities and exports,

Taking note with appreciation of the establishment of the United Nations Secretary-General's Expert Group on African Commodity Problems,[106]

1. *Takes note with interest* of the report of the Secretary-General's Expert Group on African Commodity Problems[107] and of Africa's common position on that report;[108]

2. *Takes note also* of the note by the Secretary-General on the critical economic situation in Africa;[109]

3. *Requests* the Secretary-General, in consultation with the Organization of African Unity and other interested Governments, multilateral financial institutions and regional development funds, to include in his report to the General Assembly at its forty-sixth session, through the *Ad Hoc* Committee of the Whole for the final review and appraisal of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, proposals on how to support Africa's efforts at diversification, including the means of mobilizing sufficient resources on favourable terms from the international community and measures to enhance domestic and foreign investment and enterprise;

4. *Also requests* the Secretary-General to include in his report a study on how diversification in Africa can be implemented at national, subregional and regional levels with the support of the international community, taking into account the report of the Expert Group and Africa's common position on that report, and invites the international community, including regional development banks, to take the issue of diversification into account as an important element in Africa's economic development;

5. *Invites* the international community, including the African Development Bank, to strengthen its support of Africa's efforts to diversify its commodity sector, bearing in mind the relevant operational mechanisms;

6. *Further requests* the Secretary-General to accord Africa's commodity programmes appropriate priority in the United Nations medium-term plan for the period 1992-1997;

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[105] See A/43/398, annex II.

[106] A/45/581.

[107] *Ibid*., annex.

[108] A/45/591, annex.

[109] A/45/581/Add.1.

7. *Decides* to include in the provisional agenda of its forty-sixth session a sub-item entitled "Africa's commodity problems" under the item entitled "Critical economic situation in Africa";

8. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

70th plenary meeting
19 December 1990

C

AFRICAN CHARTER FOR POPULAR PARTICIPATION IN DEVELOPMENT AND TRANSFORMATION

The General Assembly,

Recalling its resolutions S-13/2 of 1 June 1986 on the critical economic situation in Africa, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, 43/12 of 25 October 1988, 43/27 of 18 November 1988 on the mid-term review and appraisal of the Programme of Action and 44/24 of 17 November 1989 on the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation, which, *inter alia,* called for popular participation in the activities for growth and development,

Noting with interest the concepts contained in the African Charter for Popular Participation in Development and Transformation, the importance of which has been recognized in international conferences,

1. *Takes note with appreciation* of the African Charter for Popular Participation in Development and Transformation;[110]

2. *Commends* the collective commitment of African peoples and Governments to promote economic recovery and development in Africa through, *inter alia,* popular participation for development and transformation;

3. *Calls upon* the international community to increase support to Africa's efforts in bringing about sustained and sustainable growth and development, taking into account, *inter alia,* the objectives of the African Charter for Popular Participation in Development and Transformation.

70th plenary meeting
19 December 1990

45/257. Special emergency assistance to Haiti

The General Assembly,

Recalling its resolution 45/2 of 10 October 1990 and welcoming its successful implementation and results,

Conscious of the severe economic and social problems facing Haiti,

Convinced of the need to grant technical and economic assistance to Haiti in overcoming its severe economic and social problems,

1. *Appeals* to Member States, international financial institutions, the specialized agencies and organizations and programmes of the United Nations system to respond generously and urgently to the needs of Haiti in overcoming its severe economic and social problems;

2. *Expresses its determination* to assist Haiti in overcoming its severe economic and social problems;

3. *Decides* to keep the question on assistance to Haiti under review and requests the Secretary-General to consult the Government of Haiti as soon as possible concerning appropriate initiatives for the launching of a special programme of emergency assistance to Haiti and to inform the Assembly on the outcome of such consultations.

72nd plenary meeting
21 December 1990

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[110] A/45/427, annex, appendix II.

III. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIRST COMMITTEE[1]

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[1] For the decisions adopted on the reports of the First Committee, see sect. X.B.2.

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45/48. Implementation of General Assembly resolution 44/104 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean* (Treaty of Tlatelolco)

The General Assembly,

Recalling that in its resolution 2286 (XXII) of 5 December 1967 it welcomed with special satisfaction the Treaty for the Prohibition of Nuclear Weapons in Latin America[2] as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Recalling also its various resolutions concerning the signature and ratification of Additional Protocol I[2] of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),

Taking into account that within the zone of application of the Treaty, to which twenty-three sovereign States are already parties, there are some territories that, in spite of not being sovereign political entities, are nevertheless in a position to receive the benefits deriving from the Treaty through its Additional Protocol I, to which the four States that *de jure* or *de facto* are internationally responsible for those territories may become parties,

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* By a note verbale dated 16 October 1990, the Permanent Mission of Mexico informed the Secretariat that the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean had decided,"on the basis of its resolution 267 (E-V) of 3 July 1990 and in conformity with article 7, to add the words 'and the Caribbean' to the present title of the Treaty".

[2] United Nations, *Treaty Series*, vol. 634, No. 9068.

Considering that it is not fair that the peoples of some of those territories are deprived of such benefits without being given the opportunity to express their opinion in this connection,

Recalling further that three of the States to which Additional Protocol I is open—the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands and the United States of America—became parties to the Protocol in 1969, 1971 and 1981 respectively,

1. *Deplores once again* that the signature of Additional Protocol I by France, which took place on 2 March 1979, has not yet been followed by the corresponding ratification, notwithstanding the time elapsed and the pressing invitations that the General Assembly has addressed to it;

2. *Once more urges* France not to delay any further such ratification, which has been requested so many times and which appears all the more advisable, since France is the only one of the four States to which the Protocol is open that is not yet party to it;

3. *Decides* to include in the provisional agenda of its forty-sixth session an item entitled "Implementation of General Assembly resolution 45/48 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

54th plenary meeting
4 December 1990

45/49. Cessation of all nuclear-test explosions

The General Assembly,

Bearing in mind the highest priority which, in the sphere of disarmament, it has repeatedly assigned to the attainment of the complete cessation of nuclear-weapon tests,

Recalling that for over thirty years it has been examining this question, on which it has adopted more than seventy resolutions,

Taking into account the undertakings by the three depositary States of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water[3] to seek to achieve the early discontinuance of all test explosions of nuclear weapons for all time, as well as the reiteration of this commitment in the Treaty on the Non-Proliferation of Nuclear Weapons,[4]

Recalling that the Secretary-General, addressing a plenary meeting of the General Assembly on 12 December 1984, after appealing for a renewed effort towards a comprehensive test-ban treaty, emphasized that no single multilateral agreement could have a greater effect on limiting the further refinement of nuclear weapons and that a comprehensive test-ban treaty is the litmus test of the real willingness to pursue nuclear disarmament,[5]

Recalling also that the leaders of the States associated with the Six-Nation Initiative on peace and disarmament affirmed in the Stockholm Declaration, adopted on 21 January 1988,[6] that "Any agreement that leaves room for continued testing would not be acceptable",

Recalling further the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7] which underlined that the immediate suspension of and comprehensive ban on nuclear tests remained one of the highest priorities of nuclear disarmament,

Taking note with satisfaction of the continuing progress made in the Conference on Disarmament by the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events on the seismic verification of a comprehensive test ban,

Taking note of the re-establishment, without a negotiating mandate, of the *Ad Hoc* Committee on a Nuclear Test Ban by the Conference on Disarmament at its summer session in 1990,

1. *Reiterates once again its grave concern* that nuclear testing continues unabated, against the wishes of the overwhelming majority of Member States;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the highest priority;

3. *Reaffirms also its conviction* that such a treaty would constitute a contribution of the utmost importance to the cessation of the nuclear-arms race;

4. *Urges once more* all nuclear-weapon States, in particular the three depositary States of the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons, to seek to achieve the early discontinuance of all test explosions of nuclear weapons for all time and to expedite negotiations to this end;

5. *Appeals* to all States members of the Conference on Disarmament to promote the re-establishment by the Conference at the beginning of its 1991 session of the *Ad Hoc* Committee on a Nuclear Test Ban with the objective of carrying out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

6. *Recommends* to the Conference on Disarmament that the *Ad Hoc* Committee should comprise two working groups dealing, respectively, with the following interrelated questions: contents and scope of the treaty, and compliance and verification;

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[3] United Nations, *Treaty Series*, vol. 480, No. 6964.

[4] *Ibid.*, vol. 729, No. 10485.

[5] See *Official Records of the General Assembly, Thirty-ninth Session, Plenary Meetings*, 97th meeting, para. 302.

[6] A/43/125-S/19478, annex.

[7] See A/44/551-S/20870, annex.

7. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Cessation of all nuclear-test explosions".

54th plenary meeting
4 December 1990

45/50. Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water

The General Assembly,

Recalling its resolution 44/106 of 15 December 1989,

Reiterating its conviction that a comprehensive nuclear-test-ban treaty is the highest-priority measure for the cessation of the nuclear arms race and for the achievement of the objective of nuclear disarmament,

Recalling also its resolution 1910 (XVIII) of 27 November 1963, in which it noted with approval the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water,[3] signed on 5 August 1963, and requested the Conference of the Eighteen-Nation Committee on Disarmament[8] to continue with a sense of urgency its negotiations to achieve the objectives set forth in the preamble to the Treaty,

Recalling further that more than one third of the parties to the Treaty have requested the Depositary Governments to convene a conference to consider an amendment that would convert the Treaty into a comprehensive test-ban treaty,

Reiterating also its conviction that such a conference will facilitate the attainment of the objectives set forth in the Treaty and thus serve to strengthen it,

Noting with satisfaction that the meeting for the organization of the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was held in New York from 29 May to 8 June 1990, and taking note of the report of that meeting,[9]

1. *Notes with satisfaction* that the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water will be held in New York from 7 to 18 January 1991;

2. *Calls upon* all parties to the Treaty to participate in, and to contribute to the success of, the Amendment Conference for the achievement of a comprehensive nuclear-test ban at an early date, as an indispensable measure towards implementation of their undertakings in the preamble to the Treaty;

3. *Reiterates its conviction* that, pending the conclusion of a comprehensive nuclear-test-ban treaty, the nuclear-weapon States should suspend all nuclear-test explosions through an agreed moratorium or unilateral moratoria;

4. *Recommends* that arrangements be made to ensure that intensive efforts continue, under the auspices of the Amendment Conference, until a comprehensive nuclear-test-ban treaty is achieved;

5. *Recommends also* that the Amendment Conference establish a working group, or other means it deems appropriate, to study, *inter alia,* the organization of control, institutional mechanisms and legal aspects of a comprehensive nuclear-test-ban treaty and to report its conclusions to the Conference;

6. *Stresses* the importance of ensuring adequate coordination among the various negotiating forums dealing with a comprehensive nuclear-test-ban treaty;

7. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water".

54th plenary meeting
4 December 1990

45/51. Urgent need for a comprehensive nuclear-test-ban treaty

The General Assembly,

Convinced that a nuclear war cannot be won and must never be fought,

Convinced also of the consequent urgent need for an end to the nuclear-arms race and the immediate and verifiable reduction and ultimate elimination of nuclear weapons,

Convinced further that an end to nuclear testing by all States in all environments for all time is an essential step in order to prevent the qualitative improvement and development of nuclear weapons and their further proliferation and to contribute, along with other concurrent efforts to reduce nuclear arms, to the eventual elimination of nuclear weapons,

Noting concerns expressed about the environmental and health risks associated with underground nuclear testing,

Recognizing the agreement on and signature of, in Washington on 1 June 1990, the verification protocols to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests,[10] signed on 3 July 1974, and to the Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes,[11] signed on 28 May 1976, and looking forward to the conclusion of all ratification processes,

Welcoming the ongoing implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles[12] and the agreement in principle on and further progress made towards a first treaty on significant reductions in their strategic nuclear forces, and urging the earliest possible conclusion of such a treaty,

Recalling the final document on international security and disarmament adopted by the Ninth Conference of

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[8] The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[9] PTBT/CONF/1.

[10] *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 27* (A/9627), annex II, document CCD/431.

[11] *The United Nations Disarmament Yearbook*, vol. I: 1976 (United Nations publication, Sales No. E.77.IX.2), appendix III.

[12] *Ibid.*, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7]

Recalling also the proposals by the leaders of the Six-Nation Initiative[13] to promote an end to nuclear testing,

Convinced that the most effective way to achieve the discontinuance of all nuclear tests by all States in all environments for all time is through the conclusion, at an early date, of a verifiable, comprehensive nuclear-test-ban treaty that will attract the adherence of all States,

Reaffirming the particular responsibilities of the Conference on Disarmament in the negotiation of a comprehensive nuclear-test-ban treaty, and in this context welcoming the re-establishment of the *Ad Hoc* Committee on a Nuclear Test Ban in the Conference on Disarmament,

Taking note of the work being undertaken within the Conference on Disarmament by the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events and the conduct of the second technical test concerning the global exchange and analysis of seismic data,[14]

Noting that the Amendment Conference of States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water will be held in January 1991 to consider an amendment to extend the scope of the Treaty to include underground nuclear testing,

1. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States in all environments for all time is a matter of fundamental importance;

2. *Urges* the Conference on Disarmament, in order that a comprehensive nuclear-test-ban treaty may be concluded at an early date, to re-establish the *Ad Hoc* Committee on a Nuclear Test Ban at the beginning of its 1991 session to carry forward the work begun in the Conference in 1990, focusing on substantive work on specific and interrelated test-ban issues, including structure and scope as well as verification and compliance;

3. *Also urges* the Conference on Disarmament:

(*a*) To take into account, in this context, the progress achieved by the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, including work on the routine exchange and use of wave-form data, and other relevant initiatives or experiments by individual States and groups of States;

(*b*) To encourage the widest possible participation by States in the technical test that is now under way concerning the global exchange and analysis of seismic data;

(*c*) To take immediate steps for the establishment, with the widest possible participation, of an international seismic monitoring network with a view to developing further a system for the effective monitoring and verification of compliance with a comprehensive nuclear-test-ban treaty;

(*d*) To initiate detailed investigation of other measures to monitor and verify compliance with such a treaty, including on-site inspections and an international network to monitor atmospheric radioactivity;

4. *Urges:*

(*a*) The nuclear-weapon States, especially those which possess the most important nuclear arsenals, to agree promptly to appropriate verifiable and militarily significant interim measures, with a view to concluding a comprehensive nuclear-test-ban treaty;

(*b*) Those nuclear-weapon States which have not yet done so to adhere to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water;[3]

5. *Calls upon* the Conference on Disarmament to report to the General Assembly at its forty-sixth session on progress made;

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Urgent need for a comprehensive nuclear-test-ban treaty".

54th plenary meeting
4 December 1990

45/52. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988 and 44/108 of 15 December 1989 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (*d*), of the Final Document of the Tenth Special Session of the General Assembly,[15]

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place all their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

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[13] See the Joint Declaration issued on 22 May 1984 by the heads of State or Government of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania (A/39/277-S/16587, annex; for the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for April, May and June 1984*, document S/16587, annex), reaffirmed in the Delhi Declaration issued on 28 January 1985 (A/40/114-S/16921, annex; for the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for January, February and March 1985*, document S/16921, annex), the Mexico Declaration issued on 7 August 1986 (A/41/518-S/18277, annex I), the Stockholm Declaration issued on 21 January 1988 (A/43/125-S/19478, annex) and the Declaration issued on 22 May 1989 on the occasion of the fifth anniversary of the launching of the Six-Nation Initiative (A/44/318-S/20689, annex).

[14] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27* (A/45/27), para. 29.

[15] Resolution S-10/2.

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing also the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

Emphasizing further the essential role of the United Nations in the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Having examined the report of the Secretary-General which contains the study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East,[16]

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[4]

2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of the report of the Director General of the International Atomic Energy Agency on the implementation of paragraph 2 of resolution GC(XXXIII)/RES/506, which is contained in document GC(XXXIV)/926;

4. *Also takes note* of the request made by the General Conference of the International Atomic Energy Agency to the Director General in paragraph 2 of resolution GC(XXXIV)/RES/526 "to deploy further efforts in continuing the consultation with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887, as well as various proposals and opinions referred to in the Governments' replies contained in document GC(XXXIV)/926 and the situation in the area of the Middle East";

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (*d*) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. *Welcomes* the completion of the study undertaken by the Secretary-General, in accordance with paragraph 8 of resolution 43/65 and contained in his report,[16] on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East;

9. *Requests* all parties of the region and other parties concerned, in particular the nuclear-weapon States, to submit to the Secretary-General their views and suggestions with respect to the above-mentioned study, as well as on follow-up measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East;

10. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

54th plenary meeting
4 December 1990

45/53. Establishment of a nuclear-weapon-free zone in South Asia

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978, 34/78 of 11 December 1979, 35/148 of 12 December 1980, 36/88 of 9 December 1981, 37/76 of 9 December 1982, 38/65 of 15 December 1983, 39/55 of 12 December 1984, 40/83 of 12 December 1985, 41/49 of 3 December 1986, 42/29 of 30 November 1987, 43/66 of 7 December 1988 and 44/109 of 15 December 1989 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures that can contribute effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will assist in the strengthening of the security of the States of the region against the use or threat of use of nuclear weapons,

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[16] A/45/435, annex.

Taking note with appreciation of the declarations issued at the highest level by Governments of South Asian States that are developing their peaceful nuclear programmes, reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

Welcoming the recent proposal for the conclusion of a bilateral or regional nuclear-test-ban agreement in South Asia,

Taking note of the proposal to convene, under the auspices of the United Nations, a conference on nuclear non-proliferation in South Asia as soon as possible, with the participation of the regional and other concerned States,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly[15] regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Taking note also of the report of the Secretary-General,[17]

1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the mean time, from any action contrary to that objective;

3. *Calls upon* those nuclear-weapon States that have not done so to respond positively to this proposal and to extend the necessary co-operation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. *Requests* the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;

5. *Also requests* the Secretary-General to report on the subject to the General Assembly at its forty-sixth session;

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

54th plenary meeting
4 December 1990

45/54. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Deeply concerned at the arms race, in particular the nuclear-arms race, and the possibility of the use or threat of use of nuclear weapons,

Also convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Taking into account the principle of the non-use of force or threat of force enshrined in the Charter of the United Nations,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing also that effective measures and arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,[15] the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament[8] submitted to the General Assembly at its twelfth special session,[18] the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session,[19] the third special session devoted to disarmament, as well as of the annual report of the Conference on its 1990 session,[20]

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia,* that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

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[17] A/45/462.

[18] *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2* (A/S-12/2), sect. III.C.

[19] *Ibid., Fifteenth Special Session, Supplement No. 2* (A/S-15/2), sect. III.F.

[20] *Ibid., Forty-fifth Session, Supplement No. 27* (A/45/27), paras. 119-121.

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its *Ad Hoc* Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons, with a view to reaching agreement on this item,

Taking note of the proposals submitted under that item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7] as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Nineteenth Islamic Conference of Foreign Ministers, held at Cairo from 31 July to 5 August 1990,[21] calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Taking note further of the unilateral declarations on the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons made by all nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Noting also the greater willingness to overcome the difficulties encountered in previous years,

Recalling its relevant resolutions adopted in previous years,

Desirous of promoting the implementation of its resolutions 44/110 and 44/111 of 15 December 1989,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to demonstrate the political will and flexibility necessary to reach agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. *Recommends also* that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

54th plenary meeting
4 December 1990

45/55. Prevention of an arms race in outer space

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PREVENTION OF AN ARMS RACE IN OUTER SPACE

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Reaffirming also provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[22]

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming further paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,[15] in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue and the Declaration adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7] and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing the grave danger for international peace and security of an arms race in outer space and of developments contributing to it,

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[21] See A/45/421-S/21797, annex I, para. 44.

[22] Resolution 2222 (XXI), annex.

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal régime concerning the use of outer space,

Noting that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have continued since 1985 with the declared objective of working out effective agreements aimed, *inter alia,* at preventing an arms race in outer space,

Welcoming the re-establishment of the *Ad Hoc* Committee on the Prevention of an Arms Race in Outer Space at the 1990 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral negotiating body on disarmament, to continue to examine and identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space,

Noting also that the *Ad Hoc* Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,[23] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from these efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;

2. *Recognizes,* as stated in the report of the *Ad Hoc* Committee on the Prevention of an Arms Race in Outer Space, that the legal régime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal régime plays a significant role in the prevention of an arms race in that environment, the need to consolidate and reinforce that régime and enhance its effectiveness, and the importance of the strict compliance with existing agreements, both bilateral and multilateral;[24]

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international co-operation;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Requests* the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

7. *Also requests* the Conference on Disarmament to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, building upon areas of convergence and taking into account relevant proposals and initiatives, including those presented in the *Ad Hoc* Committee at the 1990 session of the Conference and at the forty-fifth session of the General Assembly;

8. *Recognizes,* in this regard, the relevance of considering measures on confidence-building and greater transparency and openness in space as stated in the report of the *Ad Hoc* Committee;

9. *Further requests* the Conference on Disarmament to re-establish an *ad hoc* committee with an adequate mandate at the beginning of its 1991 session and to continue building upon areas of convergence with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

10. *Urges* the Union of Soviet Socialist Republics and the United States of America to pursue intensively their bilateral negotiations in a constructive spirit with a view to reaching early agreement for preventing an arms race in outer space, and to advise the Conference on Disarmament periodically of the progress of their bilateral sessions so as to facilitate its work;

11. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Prevention of an arms race in outer space".

54th plenary meeting
4 December 1990

B

CONFIDENCE-BUILDING MEASURES IN OUTER SPACE

The General Assembly,

Conscious of the importance and urgency of preventing an arms race in outer space,

Recalling that, in accordance with the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[22] the exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Aware of the fact that more and more States are taking an active interest in outer space or participating in important space programmes for the exploration and exploitation of that environment,

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[23] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27* (A/45/27), para. 118.

[24] *Ibid.*, para. 63 of the quoted text.

Recognizing, in this context, the relevancy space has gained as an important factor for the socio-economic development of many States, in addition to its undeniable role in security issues,

Emphasizing that the growing use of outer space has increased the need for more transparency as well as confidence-building measures,

Recalling that the international community has unanimously recognized the importance and usefulness of confidence-building measures, which can significantly contribute to the promotion of peace and security and disarmament, in particular through General Assembly resolutions 43/78 H of 7 December 1988 and 44/116 U of 15 December 1989,

Noting the important work being carried out by the *Ad Hoc* Committee on the Prevention of an Arms Race in Outer Space of the Conference on Disarmament, which contributes to identifying potential areas of confidence-building measures,

Aware of the existence of a number of different proposals and initiatives addressing this subject, which attests to a growing convergence of views,

1. *Reaffirms* the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space;

2. *Recognizes* their applicability in the space environment under specific criteria yet to be defined;

3. *Requests* the Secretary-General to carry out, with the assistance of government experts, a study on the specific aspects related to the application of different confidence-building measures in outer space, including the different technologies available, possibilities for defining appropriate mechanisms of international co-operation in specific areas of interest and so on, and to report thereon to the General Assembly at its forty-eighth session.

54th plenary meeting
4 December 1990

45/56. Implementation of the Declaration on the Denuclearization of Africa

A

IMPLEMENTATION OF THE DECLARATION

The General Assembly,

Bearing in mind the Declaration on the Denuclearization of Africa[25] adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964, in which they solemnly declare their readiness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of atomic weapons,

Recalling its resolution 1652 (XVI) of 24 November 1961, its earliest on the subject, as well as its resolutions 2033 (XX) of 3 December 1965, 31/69 of 10 December 1976, 32/81 of 12 December 1977, 33/63 of 14 December 1978, 34/76 A of 11 December 1979, 35/146 B of 12 December 1980, 36/86 B of 9 December 1981, 37/74 A of 9 December 1982, 38/181 A of 20 December 1983, 39/61 A of 12 December 1984, 40/89 A of 12 December 1985, 41/55 A of 3 December 1986, 42/34 A of 30 November 1987, 43/71 A of 7 December 1988 and 44/113 A of 15 December 1989, in which it called upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone,

Recalling also that in its resolution 33/63 it vigorously condemned any overt or covert attempt by South Africa to introduce nuclear weapons into the continent of Africa and demanded that South Africa refrain forthwith from conducting any nuclear explosion in the continent or elsewhere,

Bearing in mind also the provisions of resolution CM/Res.1101(XLVI)/Rev.1[26] on the denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its forty-sixth ordinary session, held at Addis Ababa from 20 to 25 July 1987,

Having taken note of the report of the United Nations Institute for Disarmament Research entitled "South Africa's nuclear capability",[27] undertaken in co-operation with the Department for Disarmament Affairs of the Secretariat and in consultation with the Organization of African Unity, as well as of the report of the Disarmament Commission,[28]

Noting the actions taken by those Governments which have taken measures to restrict co-operation with South Africa in nuclear and other fields,

Noting with satisfaction that the Disarmament Commission at its 1990 substantive session concluded its deliberations and adopted by consensus the recommendations on the question of South Africa's nuclear capability,[29]

Recognizing the threat that South Africa's nuclear capability constitutes to international peace and security and, in particular, to the realization of the objective of the Declaration on the Denuclearization of Africa,

1. *Strongly renews its call* upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone;

2. *Reaffirms* that the implementation of the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of Stat[illegible]and Government of the Organization of African Unity would be an important measure to prevent the proliferation of nuclear weapons and to promote international peace and security;

3. *Expresses once again its grave alarm* at South Africa's possession and continued development of nuclear-weapon capability;

4. *Condemns* South Africa's continued pursuit of a nuclear capability and all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime that enable it to frustrate the objective of the Declaration on the Denuclearization of

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[25] *Ibid., Twentieth Session, Annexes*, agenda item 105, document A/5975.

[26] See A/42/699, annex I.

[27] A/39/470.

[28] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 42* (A/45/42).

[29] *Ibid.*, para. 31.

Africa, which seeks to keep Africa free from nuclear weapons;

5. *Calls upon* all States, corporations, institutions and individuals to desist from further collaboration with the racist régime that may enable it to frustrate the objective of the Declaration on the Denuclearization of Africa;

6. *Demands once again* that the racist régime of South Africa refrain from manufacturing, testing, deploying, transporting, storing, using or threatening to use nuclear weapons;

7. *Appeals* to all States and organizations that have the means to do so to monitor South Africa's research on and development and production of nuclear weapons and to publicize any information in that regard;

8. *Demands once again* that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;

9. *Requests* the Secretary-General to provide all necessary assistance that the Organization of African Unity may seek regarding the convening, at Addis Ababa during 1991, of a meeting of experts to examine the modalities and elements for the preparation and implementation of a convention or treaty on the denuclearization of Africa;

10. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

54th plenary meeting
4 December 1990

B

NUCLEAR CAPABILITY OF SOUTH AFRICA

The General Assembly,

Having considered the report of the Secretary-General on South Africa's nuclear capability,[30]

Having also considered the Secretary-General's report on South Africa's nuclear-tipped ballistic missile capability,[31]

Recalling its resolutions 34/76 B of 11 December 1979, 35/146 A of 12 December 1980, 36/86 A of 9 December 1981, 37/74 B of 9 December 1982, 38/181 B of 20 December 1983, 39/61 B of 12 December 1984, 40/89 B of 12 December 1985, 41/55 B of 3 December 1986, 42/34 B of 30 November 1987, 43/71 B of 7 December 1988 and 44/113 B of 15 December 1989,

Bearing in mind the Declaration on the Denuclearization of Africa[25] adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

Recalling that, in paragraph 12 of the Final Document of the Tenth Special Session of the General Assembly,[15] it noted that the massive accumulation of armaments and the acquisition of armaments technology by racist régimes, as well as their possible acquisition of nuclear weapons, presented a challenging and increasingly dangerous obstacle to a world community faced with the urgent need to disarm,

Recalling also that, in its resolution 33/63 of 14 December 1978, it vigorously condemned any overt or covert attempt by South Africa to introduce nuclear weapons into the continent of Africa and demanded that South Africa refrain forthwith from conducting any nuclear explosion in the continent or elsewhere,

Bearing in mind also the provisions of resolution CM/Res.1101(XLVI)/Rev.1[26] on the denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its forty-sixth ordinary session, held at Addis Ababa from 20 to 25 July 1987,

Noting with regret once again the non-implementation by *apartheid* South Africa of resolution GC(XXX)/RES/468 adopted on 3 October 1986 by the General Conference of the International Atomic Energy Agency during its thirtieth regular session,[32]

Having taken note of the report of the United Nations Institute for Disarmament Research entitled "South Africa's nuclear capability",[27] undertaken in co-operation with the Department for Disarmament Affairs of the Secretariat and in consultation with the Organization of African Unity,

Bearing in mind further the threat that South Africa's nuclear capability constitutes to international peace and security and, in particular, to the realization of the objective of the Declaration on the Denuclearization of Africa,

Noting with satisfaction that the Disarmament Commission at its 1990 substantive session concluded its deliberations and adopted by consensus the recommendations on the question of South Africa's nuclear capability,[29]

Alarmed that South Africa's nuclear facilities, particularly those which remain unsafeguarded, enable it to develop and acquire the capability of producing fissionable material for nuclear weapons,

Also alarmed that, by its own public admission at Vienna on 13 August 1988, the *apartheid* South African régime has acquired nuclear-weapon capability,

Deeply concerned about reports of *apartheid* South Africa's active military collaboration with Israel in the production of nuclear-tipped medium-range missiles with completed testing facilities and the consequences for the peace and security of African States,

Gravely concerned that the South African racist régime has not renounced its policy of aggression and subversion against the sovereignty and territorial integrity of neighbouring countries,

Expressing its grave disappointment that, despite appeals by the international community, certain Western States and Israel have continued to collaborate with the racist régime of South Africa in the military and nuclear fields and that some of these States have, by a ready recourse to the use of veto, consistently frustrated every effort in the Security Council to deal decisively with the question of South Africa,

Recalling its decision taken at the tenth special session that the Security Council should take appropriate effective steps to prevent the frustration of the implementation of the decision of the Organization of African Unity for the denuclearization of Africa,[33]

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[30] A/45/569.

[31] A/45/571 and Corr.1.

[32] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Thirtieth Regular Session,* 29 September-3 October 1986.

Stressing the need to preserve peace and security in Africa by ensuring that the continent is a nuclear-weapon-free zone,

1. *Takes note* of the report of the Secretary-General on South Africa's nuclear capability;[30]

2. *Condemns* the massive buildup of South Africa's military machine, in particular its frenzied acquisition of nuclear-weapon capability for repressive and aggressive purposes and as an instrument of blackmail;

3. *Also condemns* all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime of South Africa, in particular the decision by some Member States to grant licences to several corporations in their territories to provide equipment and technical and maintenance services for nuclear installations in South Africa;

4. *Takes note with great concern* of recent reports that collaboration between Israel and South Africa has resulted in the development by South Africa of a nuclear-tipped missile;

5. *Welcomes* the report of the Secretary-General on South Africa's nuclear-tipped ballistic missile capability,[31] submitted in accordance with paragraph 6 of its resolution 44/113 B;

6. *Requests* all Member States to submit to the Secretary-General their views and suggestions with respect to the above-mentioned report,[31] and further requests the Secretary-General to submit a report thereon to the General Assembly at its forty-sixth session;

7. *Reaffirms* that the acquisition of nuclear-weapon capability by the racist régime constitutes a very grave danger to international peace and security and, in particular, jeopardizes the security of African States and increases the danger of the proliferation of nuclear weapons;

8. *Expresses its full support* for the African States faced with the danger of South Africa's nuclear capability;

9. *Commends* the actions taken by those Governments which have taken measures to restrict co-operation with South Africa in nuclear and other fields;

10. *Calls upon* all States, corporations, institutions and individuals to terminate forthwith all forms of military and nuclear collaboration with the racist régime;

11. *Requests* the Secretary-General to provide all necessary assistance that the Organization of African Unity may seek regarding the modalities and elements for the preparation and implementation of the relevant convention or treaty on the denuclearization of Africa;

12. *Commends* the adoption by the Security Council of resolutions 558 (1984) of 13 December 1984 and 591 (1986) of 28 November 1986 on the question of South Africa, with a view to blocking the existing loopholes in the arms embargo so as to render it more effective and to prohibiting, in particular, all forms of co-operation and collaboration with the racist régime of South Africa in the nuclear field;

13. *Demands once again* that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;

14. *Also requests* the Secretary-General to follow very closely South Africa's evolution in the nuclear field and to report thereon to the General Assembly at its forty-sixth session;

15. *Further requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the military assistance that *apartheid* South Africa is receiving from Israel and any other sources in advanced missile technology as well as the supporting technical facilities.

54th plenary meeting
4 December 1990

45/57. Chemical and bacteriological (biological) weapons

A

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and to their destruction,

Reaffirming the urgent necessity, particularly in the light of the past use of and recent threats to use chemical weapons, of strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[34]

Welcoming again in this regard the reaffirmation in the Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris from 7 to 11 January 1989, of the importance and continuing validity of the 1925 Protocol,[35]

Reaffirming also the urgent necessity of the adherence by all States to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed in London, Moscow and Washington on 10 April 1972,[36]

Having considered the report of the Conference on Disarmament,[37] which incorporates, *inter alia*, the report of its *Ad Hoc* Committee on Chemical Weapons,[38] and expressing the hope that the consultations scheduled for the inter-sessional period will move the negotiations forward,

Convinced of the necessity that every effort be exerted for the successful conclusion of negotiations on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction,

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[33] See resolution S-10/2, para. 63 (*c*).

[34] League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

[35] A/44/88, annex, para. 2.

[36] Resolution 2826 (XXVI), annex.

[37] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27* (A/45/27).

[38] *Ibid.*, para. 115.

Emphasizing the importance of the widest possible participation of States in the negotiations on the draft convention in order to ensure universal adherence on its conclusion, and, in this regard, commending the ever growing number of States participating in those negotiations,

Conscious of the need to share data relevant to the negotiations on a future convention banning all chemical weapons on a global basis and of the fact that the provision of such data would be an important confidence-building measure,

Noting the bilateral and other discussions, including the ongoing exchange of views between the Union of Soviet Socialist Republics and the United States of America in the framework of the multilateral negotiations, on issues related to the prohibition of chemical weapons,

Welcoming, in this regard, the fact that the Union of Soviet Socialist Republics and the United States of America have agreed to cease the production of chemical weapons and to begin destroying their chemical weapons stockpiles,

Welcoming also the efforts made at all levels by States to facilitate the earliest conclusion of a convention for the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction and, in particular, the concrete steps designed to promote confidence and to contribute directly to that goal,

Noting with appreciation the increasing number of States that have declared their intention to be among the original signatories to the convention,

Recognizing that the effectiveness of such a convention will benefit from the support and co-operation of the chemical industry,

1. *Renews* its call to all States to observe strictly the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and to abide by the commitments undertaken in the Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris in January 1989;[35]

2. *Notes* the progress made in the work of the *Ad Hoc* Committee on Chemical Weapons of the Conference on Disarmament during its 1990 session, and the results recorded in the Committee's report;

3. *Expresses its regret and concern* that a convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction has not yet been concluded;

4. *Strongly urges* the Conference on Disarmament, as a matter of highest priority, to intensify during its 1991 session its efforts to resolve outstanding issues, and to conclude its negotiations on a convention, taking into account all existing proposals and future initiatives, and to re-establish its *Ad Hoc* Committee on Chemical Weapons for that purpose;

5. *Requests* the Conference on Disarmament to report to the General Assembly at its forty-sixth session on the results of its negotiations;

6. *Stresses* the particular significance and importance of declarations made by States on whether or not they possess chemical weapons and of further international exchanges of data and other relevant information in connection with the negotiations on such a convention;

7. *Encourages* all States to take further initiatives, measures and steps to promote confidence and openness in order to contribute to an early agreement on, and universal adherence to, such a convention;

8. *Invites* all States to make every effort to ensure its early entry into force and its effective implementation;

9. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Chemical and bacteriological (biological) weapons".

54th plenary meeting
4 December 1990

B

Implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and preparations for the Third Review Conference of the Parties to the Convention

The General Assembly,

Recalling its resolution 2826 (XXVI) of 16 December 1971, in which it commended the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[36]

Bearing in mind the confidence-building measures agreed upon by the Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, held at Geneva from 8 to 26 September 1986, for further strengthening the authority of the Convention and for enhancing confidence among States,

Acknowledging that the Final Declaration of the Second Review Conference[39] expressed the need to give further consideration to, *inter alia*, the implementation of the Convention in all its aspects,

Confirming the common interest in strengthening the authority and the effectiveness of the Convention to promote confidence and co-operation among Member States as well as the necessity to comply with the obligations set forth in the Convention,

1. *Notes* that, at the request of the States parties, a Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction will be held at Geneva in 1991, that, following appropriate consultations, a preparatory committee for that Conference has been formed, open to all parties to the Convention, and that the committee will meet at Geneva from 8 to 12 April 1991;

2. *Requests* the Secretary-General to render the necessary assistance and to provide such services as may

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[39] BWC/CONF.II/13, part II.

be required for the Third Review Conference and its preparation;

3. *Recalls* in that regard the decision taken at the Second Review Conference that the Third Review Conference should consider, *inter alia,* the issues set out in article XII of the Final Declaration of the Second Review Conference;

4. *Reiterates its call* upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Second Review Conference and to provide such information and data in conformity with the standardized procedure[40] to the Secretary-General on an annual basis and not later than 15 April;

5. *Also recalls* its request in resolution 44/115 C of 15 December 1989 that the Secretary-General should render the necessary assistance and should provide such services as may be required for the implementation of the relevant parts of the Final Declaration of the Second Review Conference;

6. *Further recalls* its request in resolution 44/115 C that the Secretary-General should circulate to the States parties to the Convention not later than four months prior to the convening of the Third Review Conference a report on the implementation of these confidence-building measures;

7. *Calls upon* all States that have not ratified or acceded to the Convention to do so without delay, thus contributing to the achievement of universal adherence to the Convention and to the strengthening of international confidence.

54th plenary meeting
4 December 1990

C

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS: MEASURES TO UPHOLD THE AUTHORITY OF THE 1925 GENEVA PROTOCOL

The General Assembly,

Recalling its previous resolutions, and those adopted by the Security Council, on the use of chemical weapons,

Reaffirming its resolution 44/115 B of 15 December 1989 on measures to uphold the authority of the 1925 Geneva Protocol and to support the conclusion of a chemical weapons convention,

Bearing in mind the reaffirmation in the Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris from 7 to 11 January 1989, of the importance and the continuing validity of the 1925 Protocol,[35]

Deploring the use and threat of use of chemical weapons,

1. *Condemns vigorously* all actions that violate or threaten to violate the obligations assumed under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[34] and other relevant provisions of international law;

2. *Renews its call* to all States to observe strictly the principles and objectives of the 1925 Geneva Protocol, and reaffirms the vital necessity of upholding its provisions;

3. *Endorses* the proposals of the group of qualified experts established in pursuance of its resolution 42/37 C of 30 November 1987 concerning technical guidelines and procedures to guide the Secretary-General in the conduct of timely and efficient investigation of the reports of use of chemical and bacteriological (biological) or toxin weapons;[41]

4. *Notes* the continuing significance of the Security Council decision to consider immediately, taking into account the investigations of the Secretary-General, appropriate and effective measures in accordance with the Charter of the United Nations,[42] should there be any future use of chemical weapons in violation of international law.

54th plenary meeting
4 December 1990

45/58. General and complete disarmament

A

RELATIONSHIP BETWEEN DISARMAMENT AND DEVELOPMENT

The General Assembly,

Recalling the provisions of the Final Document of the Tenth Special Session of the General Assembly[15] related to the relationship between disarmament and development,

Recalling also the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,[43]

Stressing the growing importance of the relationship between disarmament and development in current international relations,

1. *Welcomes* the report of the Secretary-General[44] and actions undertaken in accordance with the Final Document of the International Conference on the Relationship between Disarmament and Development;

2. *Requests* the Secretary-General to continue to take action, through the appropriate organs and within available resources, for the implementation of the action programme adopted at the International Conference;[45]

3. *Also requests* the Secretary-General to submit a report to the General Assembly at its forty-sixth session;

4. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Relationship between disarmament and development".

54th plenary meeting
4 December 1990

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[40] BWC/CONF.II/EX/2.

[41] A/44/561, annex.

[42] Security Council resolution 620 (1988).

[43] United Nations publication, Sales No. E.87.IX.8.

[44] A/45/592.

[45] United Nations publication, Sales No. E.87.IX.8, para. 35.

B

BILATERAL NUCLEAR-ARMS NEGOTIATIONS

The General Assembly,

Recalling its relevant resolutions, in particular resolutions 43/75 A of 7 December 1988 and 44/116 K of 15 December 1989,

Stressing the importance of the strengthening of international security through disarmament and the halting of the qualitative and quantitative escalation of the arms race,

Mindful that it is the responsibility and obligation of all States to speed up the emerging process of relaxation of international tension and to channel it in a direction that would benefit all and that lasting peace and security can be achieved only by pooling the efforts of the international community and with all States participating and contributing on the basis of equality,

Stressing also that general and complete disarmament under effective international control is by its very nature unattainable unless all States join in its implementation,

Emphasizing that nuclear disarmament and the prevention of nuclear war remains one of the principal tasks of our times,

Concerned, however, that the world is still threatened by the massive nuclear arsenals, which are being further refined and augmented, and that the way for nuclear disarmament and the prevention of nuclear war lies in the nuclear-weapon Powers' embracing the objective of the total elimination of nuclear weapons,

Aware of the fact that the disarmament process cannot be carried out without a contribution by all States and especially by the Union of Soviet Socialist Republics and the United States of America and by military alliances, which have the greatest responsibility in that regard,

Stressing that the co-operation between the Union of Soviet Socialist Republics and the United States of America contributes to the process of general and complete disarmament and the strengthening of international security,

Noting that, in a joint statement of 1 June 1990,[46] the two Presidents reaffirmed their determination to have the Treaty on the Reduction and Limitation of Strategic Offensive Arms completed and ready for signature by the end of 1990 and, following the signature of that Treaty, to pursue further negotiations on nuclear and space arms and to give these future negotiations the highest priority,

Affirming that bilateral and multilateral negotiations on disarmament should facilitate and complement each other,

1. *Welcomes* the positive developments in the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America on disarmament issues, including those relating to the Treaty on the Reduction and Limitation of Strategic Offensive Arms, as well as the signing of the Protocols to the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests,[10] signed on 3 July 1974, and the Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes,[11] signed on 28 May 1976, and their ratification;

2. *Calls upon* the Union of Soviet Socialist Republics and the United States of America to exert every effort to achieve the reduction in strategic offensive arms by signing the Treaty on the Reduction and Limitation of Strategic Offensive Arms by the end of 1990 as part of the process leading to the complete elimination of nuclear weapons and, as a matter of urgency, to intensify their efforts to achieve agreements in other areas, in particular, the issues of a comprehensive nuclear-test ban and agreement to ensure that outer space is kept free of all weapons;

3. *Invites* the Union of Soviet Socialist Republics and the United States of America to keep other States Members of the United Nations duly informed of progress in their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly;[15]

4. *Encourages and supports* the bilateral negotiations and expects them to be successfully concluded.

54th plenary meeting
4 December 1990

C

CONVENTIONAL DISARMAMENT

The General Assembly,

Reaffirming the determination to save succeeding generations from the scourge of war as expressed in the Preamble to the Charter of the United Nations,

Recalling the Final Document of the Tenth Special Session of the General Assembly,[15] and particularly its paragraph 81, which provides that, together with negotiations on nuclear disarmament measures, the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament, and which stresses that States with the largest military arsenals have a special responsibility in pursuing the process of conventional armaments reductions,

Also recalling that in the same document it is stated, *inter alia,* that priorities in disarmament negotiations shall be: nuclear weapons; other weapons of mass destruction, including chemical weapons; conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects; and reduction of armed forces, and that it stresses that nothing should preclude States from conducting negotiations on all priority items concurrently,

Further recalling that in the same document it is stated that effective measures of nuclear disarmament and the prevention of nuclear war have the highest priority, and that real progress in the field of nuclear disarmament could create an atmosphere conducive to progress in conventional disarmament on a world-wide basis,

Aware of the dangers to world peace and security originating from, and the loss in human life and property caused by, wars and conflicts fought with conventional weapons, as well as of their possible escalation into a nuclear war in regions with a high concentration of conventional and nuclear weapons,

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[46] See CD/1004 and CD/1005.

Also aware that with the advance in science and technology, conventional weapons tend to become increasingly lethal and destructive and that conventional armaments consume large amounts of resources,

Believing that resources released through disarmament, including conventional disarmament, can be used for the social and economic development of people of all countries, particularly the developing countries,

Noting with satisfaction that the ongoing conventional disarmament negotiations in Europe have achieved progress,

Also noting with satisfaction that the Disarmament Commission concluded at its 1990 session its recent consideration of issues related to conventional disarmament,

Bearing in mind its resolution 36/97 A of 9 December 1981 and the *Study on Conventional Disarmament*[47] conducted in accordance with that resolution, as well as its resolutions 41/59 C and 41/59 G of 3 December 1986, 42/38 E and 42/38 G of 30 November 1987, 43/75 D and 43/75 F of 7 December 1988 and 44/116 C and 44/116 F of 15 December 1989,

Bearing in mind also the efforts made to promote conventional disarmament and the related proposals and suggestions, as well as the initiatives taken by various countries in this regard,

1. *Reaffirms* the importance of the efforts aimed at resolutely pursuing the limitation and gradual reduction of armed forces and conventional weapons within the framework of progress towards general and complete disarmament;

2. *Believes* that the military forces of all countries should not be used other than for the purpose of self-defence;

3. *Welcomes* the continued intensive negotiation on conventional armaments and the progress achieved therein by the countries with the largest military arsenals, which bear a special responsibility in pursuing the process of conventional arms reductions, and by the States members of the two major military alliances, and urges them to make further progress towards the early establishment of a stable and secure balance of conventional armaments and forces, the achievement of increased security at lower levels of forces and the elimination of the capability for surprise attack and large-scale offensive action in Europe, a region with the largest concentration of armaments and forces in the world;

4. *Encourages and calls upon* all States, while taking into account the need to protect security and maintain necessary defensive capabilities, to intensify their efforts and take, either on their own or by agreement, appropriate steps in the field of conventional disarmament to promote progress in conventional disarmament, to enhance peace and security in their regions as well as globally and to contribute to overall progress towards the goal of general and complete disarmament;

5. *Endorses* the conclusions and recommendations of the Disarmament Commission at its 1990 substantive session on issues related to conventional disarmament,[48] and recommends that States take them into due consideration in their efforts to promote progress in conventional disarmament;

6. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Conventional disarmament".

54th plenary meeting
4 December 1990

D

NUCLEAR DISARMAMENT

The General Assembly,

Recalling its resolutions 41/59 F of 3 December 1986, 42/38 H of 30 November 1987, 43/75 E of 7 December 1988 and 44/116 D of 15 December 1989,

Reaffirming the determination to save succeeding generations from the scourge of war as expressed in the Preamble to the Charter of the United Nations,

Convinced that removing the threat of a world war—a nuclear war— remains the most acute and urgent task of the present day,

Recalling and reaffirming the statements and provisions on nuclear disarmament set forth in the Final Document of the Tenth Special Session of the General Assembly,[15] and, in particular, provisions that "effective measures of nuclear disarmament and the prevention of nuclear war have the highest priority", contained in paragraph 20, and that "in the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility", contained in paragraph 48,

Also recalling that paragraph 55 of the same document states that "Real progress in the field of nuclear disarmament could create an atmosphere conducive to progress in conventional disarmament on a world-wide basis",

Bearing in mind that the ultimate goal of nuclear disarmament is the complete elimination of nuclear weapons,

Noting that the leaders of the Union of Soviet Socialist Republics and the United States of America agreed in their joint statement issued at Geneva on 21 November 1985[49] that "a nuclear war cannot be won and must never be fought" and the common desire they expressed in the same statement calling for early progress in areas where there is common ground, including the principle of a 50 per cent reduction in the nuclear arms of the Soviet Union and the United States appropriately applied, as well as the joint statement made by the leaders of the two countries on 1 June 1990 in Washington,[46]

Noting also that the Union of Soviet Socialist Republics and the United States of America have conducted intensive negotiations on various disarmament issues and made progress in these negotiations,

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[47] United Nations publication, Sales No. E.85.IX.1.

[48] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 42* (A/45/42), para. 34.

[49] See A/40/1070, annex.

Noting further that the Conference on Disarmament has not played its due role in the field of nuclear disarmament,

Believing that the qualitative aspect of the arms race needs to be addressed along with its quantitative aspect,

Bearing in mind that the Governments and peoples of various countries expect that the Union of Soviet Socialist Republics and the United States of America will reach agreement on halting the nuclear-arms race and further reducing nuclear weapons,

1. *Welcomes* the continued implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles;[12]

2. *Also welcomes* the negotiations by the Union of Soviet Socialist Republics and the United States of America, which possess the most important nuclear arsenals, on the reduction of their nuclear arsenals and the progress made in these negotiations, and urges them further to discharge their special responsibility for nuclear disarmament, to take the lead in halting the nuclear-arms race and to effect drastic reductions of their nuclear arsenals at an early date;

3. *Invites* the Governments of the Union of Soviet Socialist Republics and the United States of America to keep, by appropriate means, the other States Members of the United Nations duly informed about their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly;

4. *Reiterates its belief* that bilateral and multilateral efforts for nuclear disarmament should complement and facilitate each other;

5. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Nuclear disarmament".

54th plenary meeting
4 December 1990

E

COMPREHENSIVE UNITED NATIONS STUDY ON NUCLEAR WEAPONS

The General Assembly,

Recalling its resolution 43/75 N of 7 December 1988, by which it requested the Secretary-General to carry out, with the assistance of qualified governmental experts, a comprehensive update of the *Comprehensive Study on Nuclear Weapons,*[50]

Having examined the report of the Secretary-General containing the update of the *Study,*[51]

1. *Takes note* of the comprehensive study on nuclear weapons contained in the report of the Secretary-General;

2. *Expresses its appreciation* to the Secretary-General and to the group of experts who assisted him in the preparation of the study;

3. *Commends* the study and its conclusions to the attention of all Member States;

4. *Requests* the Secretary-General to arrange for the reproduction of the study as a United Nations publication and to give it the widest possible distribution;

5. *Encourages* interested Governments to distribute and publish the report in their respective languages.

54th plenary meeting
4 December 1990

F

PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF RADIOLOGICAL WEAPONS

The General Assembly,

Recalling its resolution 44/116 T of 15 December 1989,

1. *Takes note* of the part of the report of the Conference on Disarmament on its 1990 session that deals with the question of radiological weapons, in particular the report of the *Ad Hoc* Committee on Radiological Weapons;[52]

2. *Recognizes* that in 1990 the *Ad Hoc* Committee made a further contribution to the clarification and better understanding of different approaches that continue to exist with regard to both of the important matters under consideration;

3. *Takes note also* of the recommendation of the Conference on Disarmament that the *Ad Hoc* Committee on Radiological Weapons should be re-established at the beginning of its 1991 session;

4. *Requests* the Conference on Disarmament to continue its substantive negotiation on the subject with a view to the prompt conclusion of its work, taking into account all proposals presented to the Conference to this end and drawing upon the annexes to the report of the *Ad Hoc* Committee as a basis of its future work, the result of which should be submitted to the General Assembly at its forty-sixth session;

5. *Requests* the Secretary-General to transmit to the Conference on Disarmament all relevant documents relating to the discussion of all aspects of the issue by the General Assembly at its forty-fifth session;

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Prohibition of the development, production, stockpiling and use of radiological weapons".

54th plenary meeting
4 December 1990

G

CONVENTIONAL DISARMAMENT

The General Assembly,

Recalling its resolution 44/116 F of 15 December 1989,

Noting with satisfaction the adoption by consensus by the Disarmament Commission of the report on the agenda item entitled "Substantive consideration of issues related to conventional disarmament",[48]

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[50] United Nations publication, Sales No. E.81.I.11.

[51] A/45/373, annex.

[52] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27* (A/45/27), para. 124.

1. *Welcomes* the substantive and comprehensive report of the Disarmament Commission with regard to the question of conventional disarmament;

2. *Endorses* the recommendations of the Disarmament Commission contained in the report;

3. *Commends* the report to the attention of Member States;

4. *Takes note* of the recommendation of the Disarmament Commission that, taking into account the priorities in disarmament set out in the Final Document of the Tenth Special Session of the General Assembly,[15] the subject of conventional disarmament should continue to be actively pursued in the United Nations as one significant contribution to the endeavours of the international community towards general and complete disarmament under effective international control;[53]

5. *Notes* that the Disarmament Commission in its report expressed the view that, in addition to its deliberations on how to facilitate the process of conventional disarmament, it would be welcome if the Conference on Disarmament were to address the issue of conventional disarmament when practicable;[53]

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Conventional disarmament".

54th plenary meeting
4 December 1990

H

BILATERAL NUCLEAR-ARMS NEGOTIATIONS

The General Assembly,

Recalling that at their meeting at Geneva in November 1985 the leaders of the Union of Soviet Socialist Republics and the United States of America committed themselves to the objective of working out effective agreements aimed at preventing an arms race in space and terminating it on Earth,[49]

Believing that, through negotiations pursued in a spirit of flexibility and with full account taken of the security interests of all States, it is possible to achieve far-reaching and effectively verifiable agreements,

Firmly convinced that early agreement in these negotiations, in accordance with the principle of undiminished security at the lowest possible level of armaments, would be of crucial importance for the strengthening of international peace and security,

Noting that, in a joint statement of 1 June 1990,[46] the two Presidents reaffirmed their determination to have the Treaty on the Reduction and Limitation of Strategic Offensive Arms completed and ready for signature by the end of 1990,

Noting also that in a further statement of the same date[46] the Union of Soviet Socialist Republics and the United States of America agreed to pursue, following the signature of the Treaty, new negotiations on nuclear and space arms and further enhancing strategic stability and to give these future negotiations the highest priority,

Convinced that the international community should encourage the Government of the Union of Soviet Socialist Republics and the Government of the United States of America in their endeavours, taking into account both the importance and the complexity of their negotiations,

1. *Welcomes* the fact that the provisions of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Nuclear Missiles[12] are being implemented by the Soviet Union and the United States;

2. *Also welcomes* the prospect of an agreement on the Treaty on the Reduction and Limitation of Strategic Offensive Arms in the near future;

3. *Further welcomes* the agreement between the Union of Soviet Socialist Republics and the United States of America to pursue new negotiations on nuclear and space arms and on further enhancing strategic stability, following the signature of the Treaty on the Reduction and Limitation of Strategic Offensive Arms;

4. *Calls upon* the Government of the Union of Soviet Socialist Republics and the Government of the United States of America to spare no effort in seeking, in accordance with the security interests of all States and the universal desire for progress towards disarmament, the attainment of all the agreed objectives in the negotiations;

5. *Invites* the two Governments concerned to keep other States Members of the United Nations duly informed of progress in their negotiations, in accordance with paragraph 114 of the Final Document of the Tenth Special Session of the General Assembly;[15]

6. *Expresses its firmest possible encouragement and support* for the bilateral negotiations and their successful conclusion.

54th plenary meeting
4 December 1990

I

CONFIDENCE- AND SECURITY-BUILDING MEASURES AND CONVENTIONAL DISARMAMENT IN EUROPE

The General Assembly,

Determined to achieve progress in disarmament,

Recalling its resolutions 43/75 P of 7 December 1988 and 44/116 I of 15 December 1989,

Recalling also the text adopted by consensus on 29 May 1990 within the framework of the Working Group on agenda item 8 of the Disarmament Commission,[48]

Reaffirming the need for continued efforts to build confidence, to lessen the risk of military confrontation and to enhance mutual security,

Reaffirming also the great importance of increasing security and stability in Europe through the establishment of a stable, secure and verifiable balance of conventional armed forces at lower levels, as well as through increased openness and predictability of military activities,

Considering that the negotiations in the field of confidence- and security-building measures, as well as those on conventional armaments and forces, both within the framework of the process of the Conference on Security and Co-operation in Europe, have already helped to promote confidence and to move towards improved security and co-operation in Europe, thereby contributing to international peace and security,

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[53] *Ibid., Supplement No. 42*, para. 34 (para. 17 of the text quoted in para. 6).

1. *Notes with satisfaction* the progress achieved so far in the process of disarmament and the strengthening of confidence and security in Europe;

2. *Welcomes,* as important steps towards enhanced stability and security in Europe, the signing of the Treaty on Conventional Armed Forces in Europe by twenty-two States participating in the Conference on Security and Co-operation in Europe in Paris on 19 November 1990, as well as the adoption of a substantial new set of confidence- and security-building measures by all States participating in the Conference, which was endorsed by the heads of State or Government of those States in Paris on 21 November 1990;

3. *Invites* all States to consider the possibility of taking appropriate measures with a view to reducing the risk of confrontation and strengthening security, taking due account of their specific regional conditions.

54th plenary meeting
4 December 1990

J

PROHIBITION OF ATTACKS ON NUCLEAR FACILITIES

The General Assembly,

Considering that attacks or threats of attack on nuclear facilities devoted to peaceful purposes could jeopardize the development of nuclear energy,

Recalling resolution GC(XXIX)/RES/444 adopted by the General Conference of the International Atomic Energy Agency on 27 September 1985,

Recalling also resolution GC(XXXI)/RES/475 of 25 September 1987, in which the General Conference states, *inter alia,* that it is:

> "*Aware* of the fact that an armed attack on a nuclear installation could result in radioactive releases with grave consequences within and beyond the boundaries of the State which has been attacked, and
>
> "*Convinced* of the need to prohibit armed attacks on nuclear installations from which such releases could occur and of the urgency of concluding an international agreement in this regard",

1. *Recognizes* that an armed attack or a threat of armed attack on a safeguarded nuclear facility, operational or under construction, would create a situation in which the Security Council would have to act immediately in accordance with the provisions of the Charter of the United Nations, including measures under Chapter VII;

2. *Encourages* all States to be ready to provide immediate peaceful assistance in accordance with international law to any State, if it so requests, whose safeguarded nuclear facilities have been subjected to an armed attack, and calls upon all States to abide by any decisions taken by the Security Council in accordance with the Charter in relation to the attacking State;

3. *Appeals* to States that participate in the Conference on Disarmament to overcome their differences, and urges the co-operation of all States for the successful resolution of this issue in the near future;

4. *Calls upon* all States that have not done so to become parties to Additional Protocol I of 1977[54] to the Geneva Conventions of 12 August 1949[55] and upon all States parties to that Protocol to consider, in the context of a possible diplomatic conference, how to improve the present régime with regard to the protection of nuclear facilities;

5. *Notes* that States, in their mutual interest, have adopted confidence-building measures, in a bilateral or regional framework, designed to promote the aim of protecting nuclear facilities, taking into account the specific characteristics of each region, and recognizes that other States may adopt similar measures, where appropriate;

6. *Appeals* to all States to take into account, when reviewing their military policies, the danger of radioactive releases potentially resulting from an attack on a nuclear facility;

7. *Requests* the Secretary-General to report on the subject to the General Assembly at its forty-sixth session.

54th plenary meeting
4 December 1990

K

PROHIBITION OF THE DUMPING OF RADIOACTIVE WASTES

The General Assembly,

Bearing in mind resolution CM/Res.1153 (XLVIII) concerning the dumping of nuclear and industrial wastes in Africa, adopted on 25 May 1988 by the Council of Ministers of the Organization of African Unity at its forty-eighth ordinary session, held at Addis Ababa from 19 to 23 May 1988,[56]

Bearing in mind also resolution CM/Res.1225 (L) adopted by the Council of Ministers of the Organization of African Unity at its fiftieth ordinary session, held at Addis Ababa from 17 to 22 July 1989,[57]

Welcoming resolution GC (XXXIII)/RES/509 on the dumping of nuclear wastes, adopted on 29 September 1989 by the General Conference of the International Atomic Energy Agency at its thirty-third regular session,

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament, *inter alia,* to consider effective methods of control against the use of radiological methods of warfare,

Aware of the potential hazards underlying any use of nuclear wastes that would constitute radiological warfare and its implications for regional and international security and in particular for the security of developing countries,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,[15]

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[54] United Nations, *Treaty Series,* vol. 1125, No. 17512.

[55] *Ibid.,* vol. 75, Nos. 970-973.

[56] See A/43/398, annex I.

[57] See A/44/603, annex I.

Aware also of the consideration of the question of dumping of radioactive wastes in the Conference on Disarmament during its 1989 session,

Recalling its resolution 44/116 R of 15 December 1989, in which it requested the Conference on Disarmament to include in its report to the General Assembly at its forty-fifth session the developments in the ongoing negotiations on this subject,

1. *Takes note* of the part of the report of the Conference on Disarmament[37] relating to the dumping of radioactive wastes;

2. *Expresses grave concern* regarding any use of nuclear waste that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear wastes that would infringe upon the sovereignty of States;

4. *Requests* the Conference on Disarmament to continue to take into account, in the ongoing negotiations for a convention on the prohibition of radiological weapons, the deliberate employment of nuclear wastes to cause destruction, damage or injury by means of radiation produced by the decay of such material;

5. *Requests* the International Atomic Energy Agency to continue keeping the subject under active consideration and to intensify efforts to conclude a legally binding instrument under its auspices on the effective prohibition of any dumping of radioactive or nuclear wastes to complement a multilateral convention on its prohibition in the Conference on Disarmament;

6. *Also requests* the Conference on Disarmament to include in its report to the General Assembly at its forty-sixth session the developments in the ongoing negotiations on this subject;

7. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Prohibition of the dumping of radioactive wastes".

54th plenary meeting
4 December 1990

L

PROHIBITION OF THE PRODUCTION OF FISSIONABLE MATERIAL FOR WEAPONS PURPOSES

The General Assembly,

Recalling its resolutions 33/91 H of 16 December 1978, 34/87 D of 11 December 1979, 35/156 H of 12 December 1980, 36/97 G of 9 December 1981, 37/99 E of 13 December 1982, 38/188 E of 20 December 1983, 39/151 H of 17 December 1984, 40/94 G of 12 December 1985, 41/59 L of 3 December 1986, 42/38 L of 30 November 1987, 43/75 K of 7 December 1988 and 44/116 H of 15 December 1989, in which it requested the Conference on Disarmament, at an appropriate stage of the implementation of the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly[15] and of its work on the item entitled "Nuclear weapons in all aspects", to consider urgently the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the Assembly informed of the progress of that consideration,

Noting that the agenda of the Conference on Disarmament for 1990 included the item entitled "Nuclear weapons in all aspects" and that the programme of work of the Conference for both parts of its 1990 session contained the item entitled "Cessation of the nuclear-arms race and nuclear disarmament",[58]

Recalling the proposals and statements made in the Conference on Disarmament on those items,[59]

Considering that the cessation of production of fissionable material for weapons purposes and the progressive conversion and transfer of stocks to peaceful uses would be a significant step towards halting and reversing the nuclear-arms race,

Considering also that the prohibition of the production of fissionable material for nuclear weapons and other explosive devices would be an important measure in facilitating the prevention of the proliferation of nuclear weapons and explosive devices,

Requests the Conference on Disarmament, at an appropriate stage of its work on the item entitled "Nuclear weapons in all aspects", to pursue its consideration of the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the General Assembly informed of the progress of that consideration.

54th plenary meeting
4 December 1990

M

REGIONAL DISARMAMENT, INCLUDING CONFIDENCE-BUILDING MEASURES

The General Assembly,

Recalling its resolutions 44/116 S, 44/116 U and 44/117 B of 15 December 1989,

Welcoming the report of the Disarmament Commission adopted at its substantive session of 1990[28]

Recognizing that regional disarmament measures can contribute effectively to the general process of arms reduction and disarmament,

Convinced that disarmament can be carried out only in a climate of confidence based on mutual respect and aimed at ensuring better relations founded on justice, solidarity and co-operation,

Recognizing also the importance and effectiveness of measures of regional disarmament taken at the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, in that they can contribute to universal security and stability, in accordance with the principles of the Charter of the United Nations,

Conscious of the importance of confidence-building measures to ensure the success of this process,

Noting with satisfaction the important progress made in various regions of the world through the conclusion of peace, security and co-operation agreements and following from the implementation of measures intended to enhance confidence in the fields of political, economic and military co-operation,

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[58] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27* (A/45/27), paras. 6 and 8.

[59] *Ibid.*, paras. 26-96.

Noting that the consumption of resources for potentially destructive purposes is in stark contrast to the need for social and economic development but that reduction in military expenditure following, *inter alia*, the conclusion of regional disarmament agreements could entail benefits in both the social and economic fields,

1. *Reaffirms* that the regional approach to disarmament is one of the essential elements in global efforts;

2. *Encourages* all States to recognize the value of confidence-building measures—military or non-military—taken in the framework of initiatives of regional disarmament;

3. *Invites* all States to contribute, in appropriate forums, to the consideration of the question of regional disarmament, including the confidence-building measures likely to contribute thereto, taking into account the specific characteristics of the regions concerned.

54th plenary meeting
4 December 1990

N

CHARTING POTENTIAL USES OF RESOURCES ALLOCATED TO MILITARY ACTIVITIES FOR CIVILIAN ENDEAVOURS TO PROTECT THE ENVIRONMENT

The General Assembly,

Encouraged by the positive developments in the field of disarmament,

Deeply concerned by the continuing degradation of the environment,

Bearing in mind the interrelationship of questions relating to disarmament, social and economic development and environmental protection,

Recalling its resolution 44/228 of 22 December 1989, in which it decided to convene in 1992 the United Nations Conference on Environment and Development,

Desirous of benefiting from progress in disarmament in the endeavours to protect the environment,

Recognizing the potential, in an immediate or a longer-term perspective, of using resources currently allocated to military activities for civilian endeavours to protect the environment,

1. *Requests* the Secretary-General to carry out, making use of existing resources and with the assistance of qualified experts, a study of potential uses of resources such as know-how, technology, infrastructure and production currently allocated to military activities for promoting civilian endeavours to protect the environment;

2. *Recommends* that the study be based on open information and take into account relevant national and international studies and such further information as Member States may wish to make available for the purposes of the study;

3. *Invites* all Governments to co-operate with the Secretary-General so that the objectives of the study may be achieved;

4. *Requests* the Secretary-General to submit the final report to the General Assembly at its forty-sixth session and, in the interim, to make relevant results of the study available, as appropriate, to the Preparatory Committee for the United Nations Conference on Environment and Development.

54th plenary meeting
4 December 1990

O

DEFENSIVE SECURITY CONCEPTS AND POLICIES

The General Assembly,

Recalling the principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming the obligation to maintain international peace and security in conformity with the purposes and principles of the United Nations,

Bearing in mind the reports of the Secretary-General transmitting the study on the relationship between disarmament and international security[60] and the study of concepts of security[61] submitted to the General Assembly in 1981 and 1985, respectively,

Recognizing that since then a number of important developments have taken place in the areas of disarmament and security and that new opportunities have emerged for arms control and disarmament, for ending regional conflicts and for developing among States constructive and co-operative relations,

Proceeding from the need for mutual confidence, reducing the risk of misunderstanding and making the military-political situation more transparent and predictable,

Noting the ongoing international dialogue on matters of security, including the renewed search for common security as well as for common approaches to the security requirements in different regions,

Noting also the exchange of views on military doctrines among the States participating in the Conference on Security and Co-operation in Europe,

Believing that security concepts and policies should be aimed at enhancing security and stability at progressively lower and balanced levels of armed forces and armaments,

Seeking to ensure that the armed forces of all States exist only to prevent war, as well as for individual and collective self-defence and for collective action in accordance with Chapter VII of the Charter of the United Nations with respect to threats to the peace, breaches of the peace and acts of aggression, and that defensive capabilities reflect true defensive requirements,

Bearing in mind the specific political and security requirements in different regions,

1. *Considers* the development of an international dialogue on defensive security concepts and policies to be of great importance for promoting the process of achieving disarmament and strengthening international security;

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[60] *Relationship between Disarmament and International Security* (United Nations publication, Sales No. E.82.IX.4).

[61] *Concepts of Security* (United Nations publication, Sales No. E.86.IX.1).

2. *Invites* Member States to initiate or intensify the dialogue on defensive security concepts and policies at the bilateral level, particularly at the regional level and, where appropriate, at the multilateral level;

3. *Requests* the Secretary-General, with the assistance of qualified governmental experts and taking into account the views of Member States and other relevant information, to undertake a study of defensive security concepts and policies to be submitted to the General Assembly at its forty-seventh session;

4. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Defensive security concepts and policies".

54th plenary meeting
4 December 1990

P

REGIONAL DISARMAMENT

The General Assembly,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,[15]

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of smaller States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at regional and subregional levels in order to ease regional tensions and to further disarmament and non-proliferation measures at regional and subregional levels;

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Regional disarmament".

54th plenary meeting
4 December 1990

45/59. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly

A

UNITED NATIONS DISARMAMENT FELLOWSHIP, TRAINING AND ADVISORY SERVICES PROGRAMME

The General Assembly,

Having considered the report of the Secretary-General on the United Nations disarmament fellowship, training and advisory services programme,[62]

Recalling its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly,[15] the first special session devoted to disarmament, to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly,[63] the second special session devoted to disarmament, in which it decided, *inter alia,* to continue the programme and to increase the number of fellowships from twenty to twenty-five as from 1983,

Noting with satisfaction that the programme has already trained an appreciable number of public officials selected from geographical regions represented in the United Nations system, most of whom are now in positions of responsibility in the field of disarmament affairs in their respective countries or Governments,

Recalling also its resolutions 37/100 G of 13 December 1982, 38/73 C of 15 December 1983, 39/63 B of 12 December 1984, 40/151 H of 16 December 1985, 41/60 H of 3 December 1986, 42/39 I of 30 November 1987, 43/76 F of 7 December 1988 and 44/117 E of 15 December 1989,

Noting also with satisfaction that the programme, as designed, has enabled an increased number of public officials, particularly from the developing countries, to acquire more expertise in the sphere of disarmament,

Believing that the forms of assistance available to Member States, particularly to developing countries, under the programme will enhance the capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. *Reaffirms* its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly and the report of the Sec-

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[62] A/45/604.

[63] See *Official Records of the General Assembly, Twelfth Special Session, Annexes,* agenda items 9 to 13, document A/S-12/32.

retary-General[64] approved by resolution 33/71 E of 14 December 1978;

2. *Expresses its appreciation* to the Governments of Finland, Germany, Japan, Sweden, the Union of Soviet Socialist Republics and the United States of America for inviting the 1990 fellows to study selected activities in the field of disarmament, thereby contributing to the fulfilment of the overall objectives of the programme;

3. *Notes* that, within the framework of the programme, the Secretary-General organized a regional disarmament workshop for Africa in April 1989 at Lagos and that preparations are under way to organize a similar disarmament workshop for the Asia and Pacific region in the early part of 1991, to be held at Bandung, Indonesia;

4. *Commends* the Secretary-General for the diligence with which the programme has continued to be carried out;

5. *Requests* the Secretary-General to continue the implementation of the programme within existing resources and to report to the General Assembly at its forty-sixth session.

54th plenary meeting
4 December 1990

B

CONVENTION ON THE PROHIBITION OF THE USE OF NUCLEAR WEAPONS

The General Assembly,

Convinced that the existence and use of nuclear weapons pose the greatest threat to the survival of mankind,

Conscious that the nuclear-arms race increases the danger of the use of nuclear weapons,

Convinced also that nuclear disarmament is the only ultimate guarantee against the use of nuclear weapons,

Convinced further that a multilateral agreement prohibiting the use or threat of use of nuclear weapons should strengthen international security and help to create the climate for negotiations leading to the complete elimination of nuclear weapons,

Conscious also that the recent steps taken bilaterally by the Union of Soviet Socialist Republics and the United States of America towards a reduction of their nuclear weapons and the improvement in East-West relations and the international climate can contribute towards this goal,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly,[15] it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

Reaffirming that the use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Noting with regret that the Conference on Disarmament, during its 1990 session, was not able to undertake negotiations with a view to achieving agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a basis the text annexed to General Assembly resolution 44/117 C of 15 December 1989,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations, as a matter of priority, in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a basis the draft Convention on the Prohibition of the Use of Nuclear Weapons annexed to the present resolution;

2. *Also requests* the Conference on Disarmament to report to the General Assembly at its forty-sixth session on the results of those negotiations.

54th plenary meeting
4 December 1990

ANNEX

Draft Convention on the Prohibition of the Use of Nuclear Weapons

The States Parties to this Convention,

Alarmed by the threat to the very survival of mankind posed by the existence of nuclear weapons,

Convinced that any use of nuclear weapons constitutes a violation of the Charter of the United Nations and a crime against humanity,

Convinced that this Convention would be a step towards the complete elimination of nuclear weapons leading to general and complete disarmament under strict and effective international control,

Determined to continue negotiations for the achievement of this goal,

Have agreed as follows:

Article 1

The States Parties to this Convention solemnly undertake not to use or threaten to use nuclear weapons under any circumstances.

Article 2

This Convention shall be of unlimited duration.

Article 3

1. This Convention shall be open to all States for signature. Any State that does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall enter into force on the deposit of instruments of ratification by twenty-five Governments, including the Governments of the five nuclear-weapon States, in accordance with paragraph 2 of this article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of the Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The depository shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Convention, as well as of the receipt of other notices.

6. This Convention shall be registered by the depository in accordance with Article 102 of the Charter of the United Nations.

Article 4

This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Government of the signatory and acceding States.

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[64] A/33/305.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at ________ on the ________ day of ________ one thousand nine hundred and ________ .

C

WORLD DISARMAMENT CAMPAIGN

The General Assembly,

Recalling the decision taken by the General Assembly in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,

Recalling also its various resolutions on the subject, including resolution 44/117 A of 15 December 1989,

Having examined the reports of the Secretary-General of 15 October 1990 on the implementation of the World Disarmament Campaign,[65] and of 2 October 1990 on the Advisory Board on Disarmament Matters relating to the implementation of the World Disarmament Campaign,[66] as well as the Final Act of the Eighth United Nations Pledging Conference for the Campaign,[67] held on 25 October 1990,

Taking note with appreciation of the contributions that Member States have already made to the Campaign,

1. *Welcomes* the report of the Secretary-General on the World Disarmament Campaign of 15 October 1990 and the assessment of its achievements and shortcomings;

2. *Commends* the Secretary-General for his efforts to make effective use of the resources available to him in disseminating as widely as possible information on arms limitation and disarmament to elected officials, the media, non-governmental organizations, educational communities and research institutes, and in carrying out an active seminar and conference programme;

3. *Notes with appreciation* the contributions to the efforts of the Campaign by the United Nations information centres and the regional centres for disarmament;

4. *Recommends* that the Campaign, as a global information programme, should further focus its efforts:

(*a*) To inform, to educate and to generate public understanding of the importance of and support for multilateral action, including by the United Nations and the Conference on Disarmament, in the field of arms limitation and disarmament, in a factual, balanced and objective manner;

(*b*) To facilitate unimpeded access to and an exchange of information on ideas between the public sector and public interest groups and organizations, and to provide an independent source of balanced and factual information that takes into account a range of views to help further an informed debate on arms limitation, disarmament and security;

(*c*) To organize meetings to facilitate exchanges of views and information between governmental and non-governmental sectors, and between governmental and other experts in order to facilitate the search for common ground;

5. *Invites* all Member States to contribute to the World Disarmament Campaign Voluntary Trust Fund;

6. *Decides* that at its forty-sixth session there should be a ninth United Nations Pledging Conference for the World Disarmament Campaign, and expresses the hope that on that occasion all those Member States which have not yet announced any voluntary contributions will do so, bearing in mind the objectives of the Third Disarmament Decade and the need to ensure its success;

7. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report covering both the implementation of the programme of activities of the Campaign by the United Nations system during 1991 and the programme of activities contemplated by the system for 1992;

8. *Also decides* to include in the provisional agenda of its forty-sixth session the item entitled "World Disarmament Campaign".

54th plenary meeting
4 December 1990

D

NUCLEAR-ARMS FREEZE

The General Assembly,

Recalling that, in the Final Document of the Tenth Special Session of the General Assembly,[15] the first special session devoted to disarmament, adopted in 1978 and unanimously and categorically reaffirmed in 1982 during the twelfth special session of the General Assembly,[63] the second special session devoted to disarmament, the Assembly expressed deep concern over the threat to the very survival of mankind posed by the existence of nuclear weapons and the continuing arms race,

Convinced that, in this nuclear age, lasting world peace can be based only on the attainment of the goal of general and complete disarmament under effective international control,

Welcoming the new trends that have led to an improvement in the international security environment,

Convinced also of the urgency further to pursue negotiations for the substantial reduction and qualitative limitation of existing nuclear arms,

Considering that a nuclear-arms freeze, while not an end in itself, would constitute an effective step to prevent the continued increase and qualitative improvement of existing nuclear weaponry during the period when the negotiations take place, and that at the same time it would provide a favourable environment for the conduct of negotiations to reduce and eventually eliminate nuclear weapons,

Convinced further that the undertakings derived from the freeze can be effectively verified,

Welcoming the cessation by the Union of Soviet Socialist Republics of the production of highly enriched uranium for nuclear weapons and the beginning of the process of shutting down its reactors producing weapons-grade plutonium,

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[65] A/45/555 and Corr.1.

[66] A/45/498.

[67] A/CONF.155/1.

Noting with deep concern that all nuclear-weapon States have not so far taken any collective action in response to the call made in the relevant resolutions on the question of a nuclear-arms freeze,

1. *Urges once more* both the Union of Soviet Socialist Republics and the United States of America, as the two major nuclear-weapon States, to reach agreement on an immediate nuclear-arms freeze, which would, *inter alia,* provide for a simultaneous total stoppage of any further production of nuclear weapons and a complete cut-off in the production of fissionable material for weapons purposes;

2. *Calls upon* all nuclear-weapon States to agree, through a joint declaration, to a comprehensive nuclear-arms freeze, whose structure and scope would be the following:

(*a*) It would embrace:

- (i) A comprehensive test ban on nuclear weapons and on their delivery vehicles;
- (ii) The complete cessation of the manufacture of nuclear weapons and of their delivery vehicles;
- (iii) A ban on all further deployment of nuclear weapons and of their delivery vehicles;
- (iv) The complete cessation of the production of fissionable material for weapons purposes;

(*b*) It would be subject to appropriate and effective measures and procedures of verification;

3. *Requests once again* the nuclear-weapon States to submit a joint report, or separate reports, to the General Assembly, prior to the opening of its forty-sixth session, on the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Nuclear-arms freeze".

54th plenary meeting
4 December 1990

E

UNITED NATIONS REGIONAL CENTRE FOR PEACE AND DISARMAMENT IN AFRICA, UNITED NATIONS REGIONAL CENTRE FOR PEACE AND DISARMAMENT IN ASIA AND THE PACIFIC AND UNITED NATIONS REGIONAL CENTRE FOR PEACE, DISARMAMENT AND DEVELOPMENT IN LATIN AMERICA AND THE CARIBBEAN

The General Assembly,

Recalling its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 J of 30 November 1987 and 43/76 D of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Africa, 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, 42/39 D of 30 November 1987 and 43/76 G of 7 December 1988 on the United Nations Regional Centre for Peace and Disarmament in Asia, and 44/117 F of 15 December 1989 on the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Regional Centre for Peace and Disarmament in Asia and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,

Reaffirming its resolutions 37/100 F of 13 December 1982, 38/73 J of 15 December 1983, 39/63 F of 12 December 1984, 40/94 A of 12 December 1985, 41/59 M of 3 December 1986, 42/39 E of 30 November 1987 and 44/117 B of 15 December 1989 on regional disarmament,

Recalling the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7] and noting in particular the importance placed by the heads of State or Government on the activities of the United Nations regional centres in Africa, Asia and Latin America and the Caribbean,

Convinced that the initiatives and activities mutually agreed upon by Member States of the respective regions aimed at fostering mutual confidence and security, as well as the implementation and co-ordination of regional activities under the World Disarmament Campaign, would encourage and facilitate the development of effective measures of confidence-building, arms limitation and disarmament in these regions,

Expressing its gratitude to the Member States and international governmental and non-governmental organizations that have contributed to the trust funds of the three regional centres,

Welcoming the activities carried out by the centres since the forty-fourth session of the General Assembly, which have contributed substantively to understanding and co-operation among the States in each particular region and have thereby strengthened the role assigned to each regional centre in the areas of peace, disarmament and development,

Bearing in mind the need to provide the centres with financial stability so as to facilitate the planning of their activities,

Taking note with appreciation of the report of the Secretary-General on the three regional centres,[68] and of his efforts in providing the necessary administrative measures to permit the effective functioning of the three centres,

1. *Encourages* the regional centres to continue their efforts in promoting regional co-operation among the States in their respective regions with a view to contributing to the implementation and co-ordination of regional activities under the World Disarmament Campaign and to facilitate the development of effective measures of confidence-building, arms limitation and disarmament;

2. *Commends* the Secretary-General for all the efforts he has made in favour of the centres, and requests him to continue to provide all the necessary support to their activities and in particular to pursue the full implementation of the provisions of resolution 44/117 F;

3. *Appeals once again* to Member States, as well as to international governmental and non-governmental organizations, to make voluntary contributions in order to strengthen the effective operational activities of the centres;

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[68] A/45/573.

4. *Also requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

54th plenary meeting
4 December 1990

45/60. Scientific and technological developments and their impact on international security

The General Assembly,

Recalling that at its tenth special session, the first special session devoted to disarmament, it unanimously stressed the importance of both qualitative and quantitative measures in the process of disarmament,

Noting with concern the potential in technological advances for application to military purposes, which could lead to more sophisticated weapons and new weapon systems,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Stressing the interests of the international community in the subject and the need to follow closely the scientific and technological developments that may have a negative impact on the security environment and on the process of arms limitation and disarmament and to channel scientific and technological developments for beneficial purposes,

Emphasizing that the proposal contained in its resolution 43/77 A of 7 December 1988 is without prejudice to research and development efforts being undertaken for peaceful purposes,

Noting the results of the United Nations conference on New Trends in Science and Technology: Implications for International Peace and Security, held at Sendai, Japan, from 16 to 19 April 1990,[69] and recognizing, in this regard, the need for the scientific and policy communities to work together in dealing with the complex implications of technological change,

1. *Takes note* of the report of the Secretary-General entitled "Scientific and technological developments and their impact on international security";[70]

2. *Fully agrees* that:

(*a*) The international community needs to position itself better to follow the nature and direction of technological change;

(*b*) The United Nations can serve as a catalyst and a clearing-house for ideas for this purpose;

3. *Requests* the Secretary-General to continue to follow scientific and technological developments in order to make an assessment of emerging "new technologies" and to submit to the General Assembly at its forty-seventh session a framework for technology assessment guided, *inter alia,* by the criteria suggested in his report;

4. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Scientific and technological developments and their impact on international security".

54th plenary meeting
4 December 1990

45/61. Science and technology for disarmament

The General Assembly,

Convinced that science and technology can profoundly contribute to solving the problems of mankind, especially to promoting its social and economic development,

Noting the interest of the international community in disarmament-related applications of scientific and technological achievements,

Recognizing the contributions that may be offered by scientific and technological progress for implementing arms control and disarmament agreements, *inter alia,* in the fields of verification and of compliance, by parties, with agreements on arms control and disarmament as well as of weapons disposal,

Welcoming related international activities undertaken so far in this area,

Considering the need for intensified international co-operation, with a view to using scientific and technological achievements for disarmament-related purposes, *inter alia,* in the fields of verification of compliance with agreements on arms control and disarmament, application of technologies for improved means of verification and weapons disposal,

Noting the United Nations conference on New Trends in Science and Technology: Implications for International Peace and Security, held at Sendai, Japan, in April 1990, and the United Nations conference on Conversion: Economic Adjustments in an Era of Arms Reductions, held in Moscow in August 1990, which contributed to promoting international co-operation in this field,

1. *Welcomes* national and international activities to use scientific and technological achievements for disarmament-related purposes;

2. *Calls upon* Member States and relevant intergovernmental organizations to intensify and extend such activities and to keep the United Nations informed about progress in this field;

3. *Invites* all Member States and relevant international organizations to develop international co-operation in this area, with a view to using scientific and technological achievements for disarmament-related purposes, *inter alia,* in the fields of verification and of compliance, by parties, with agreements on arms control and disarmament and application of technologies for improved means of verification and for weapons disposal;

4. *Recommends* that the United Nations should give appropriate attention to the collection and dissemination of information on scientific and technological developments in these fields;

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[69] See A/45/568.

[70] A/45/568.

5. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Science and technology for disarmament".

54th plenary meeting
4 December 1990

45/62. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

A

DECLARATION OF THE 1990S AS THE THIRD DISARMAMENT DECADE

The General Assembly,

Recalling its resolution 35/46 of 3 December 1980, in which it declared the 1980s as the Second Disarmament Decade,

Recalling also its resolution 34/75 of 11 December 1979, in which it directed the Disarmament Commission to prepare elements of a draft resolution entitled "Declaration of the 1980s as the Second Disarmament Decade" for submission to the General Assembly at its thirty-fifth session for consideration and adoption,

Bearing in mind that the Second Disarmament Decade declared by its resolution 35/46 has come to an end,

Reaffirming its resolution 43/78 L of 7 December 1988, in which it decided to declare the decade of the 1990s as the Third Disarmament Decade,

Recalling further its resolution 44/119 H of 15 December 1989, in which it directed the Disarmament Commission, at its 1990 substantive session, to finalize the preparation of elements of a draft resolution to be entitled "Declaration of the 1990s as the Third Disarmament Decade" and to submit them to the General Assembly at its forty-fifth session for consideration and adoption,

Reaffirming also the responsibility of the United Nations in the attainment of disarmament,

Noting the progress in the arms limitation and disarmament talks between the Union of Soviet Socialist Republics and the United States of America, as well as other general recent positive developments in international relations and their positive impact on the attainment of global peace and security,

Desirous of maintaining the current momentum in the disarmament process,

Convinced that a third disarmament decade will accelerate the disarmament process,

1. *Welcomes with satisfaction* the work of the Disarmament Commission at its 1990 session, at which it successfully concluded a draft Declaration of the 1990s as the Third Disarmament Decade;[71]

2. *Adopts* the text of the Declaration of the 1990s as the Third Disarmament Decade adopted by the Disarmament Commission, as set forth in the annex to the present resolution;

3. *Declares* the 1990s as the Third Disarmament Decade;

4. *Calls upon* all States to support the objectives of the Decade and to pursue the activities elaborated in the Declaration of the Third Disarmament Decade;

5. *Requests* the Secretary-General to report as and when necessary to the General Assembly on progress made in the implementation of the Declaration of the 1990s as the Third Disarmament Decade.

54th plenary meeting
4 December 1990

ANNEX

Declaration of the 1990s as the Third Disarmament Decade

1. The present Declaration of the 1990s as the Third Disarmament Decade is addressed to the global community and deals with the hopes and aspirations of people for lasting peace and security.

2. After a period of heightened tensions, the latter part of the decade of the 1980s saw a noticeable improvement in the way many States conducted their relations with one another. Despite this favourable trend, the specific goals of the Second Disarmament Decade were not fully realized.

3. In a world of growing interdependence, it is essential for the international community to stimulate and deepen awareness of the common interests of the global society and of the universal interest in achieving disarmament and strengthening international peace and security. The challenges facing the international community today are enormous. Accordingly, the solution of these difficult and complex issues will require the political will of States in conducting dialogue and negotiations and in promoting international co-operation, including confidence-building measures aimed at reducing tensions and the risk of military confrontation among States, bearing in mind specific conditions prevailing in the region concerned. It will also require acknowledgement of the profound interrelationship of questions relating to disarmament, social and economic development and environmental protection.

4. The international community stands on common ground in determining to make progress in the 1990s by resolutely pursuing disarmament along with other efforts necessary for attaining genuine peace and security. As members of the international community, we have identified the following common goals. In the nuclear field, we must continue urgently to seek early reductions in, and the eventual elimination of, nuclear weapons and work towards a comprehensive nuclear-test ban. To achieve the objective of non-proliferation in all its aspects, all States are encouraged to make every effort further to strengthen the non-proliferation régime and other measures to halt and prevent the proliferation of nuclear weapons. The aim of the international community should be to promote co-operation in the peaceful use of nuclear energy on a non-discriminatory basis and under agreed and appropriate international safeguards. The prevention of an arms race in outer space remains an important area to be further addressed. Many States also see the need to address naval confidence-building measures and disarmament issues. In the conventional field, we must seek reductions in arms and armed forces in all areas of the world and, in particular, where levels of concentrations of armaments are highest. In this regard, we urgently seek the successful conclusion of the negotiations on conventional forces in Europe. We aim for continued consideration of arms transfers in all their aspects. In the chemical field, we must work for the earliest conclusion of a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction. The international community also calls for strict compliance with the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.[34] As further steps forward, openness and transparency on all appropriate military matters should be developed, the scope and techniques of verification advanced, the use of science and technology for peaceful purposes promoted and non-military threats to security addressed. All other initiatives to halt and reverse the arms race, in particular the nuclear-arms race, in both its qualitative and quantitative aspects deserve careful consideration. Such initiatives include the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among States of the region concerned and the creation of zones of peace under appro-

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[71] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 42* (A/45/42), para. 35.

priate conditions defined and determined freely by the States concerned in the zone. In the pursuit of the foregoing goals, the international community acknowledges the particular responsibility of countries with the largest military arsenals. Resources freed through disarmament could be used for the benefit of a balanced world development. These goals should be included in a comprehensive programme of disarmament, which should be concluded at an appropriate time.

5. The United Nations will continue to foster multilateral co-operation for disarmament, wherein bilateral and regional efforts can be complementary and mutually supportive in attaining the purposes and principles of the United Nations. The international community can further promote disarmament through the United Nations by building upon its achievements in this field, including the Final Document of the Tenth Special Session of the General Assembly,[15] which was adopted by consensus.

6. The international community affirms the positive role that an informed public can play in the process of disarmament by promoting a constructive and realistic dialogue on issues related to disarmament. In this regard, the pursuit of the World Disarmament Campaign and the observance of Disarmament Week will continue to play a useful role. Reflecting a growing understanding and commitment in dealing with the global problems of peace and security, it recognizes that non-governmental organizations play an invaluable role. It also supports an enhanced role for women in developing the conditions for enduring peace.

7. As the world moves towards the twenty-first century, it is evident that future generations will need increasing knowledge and understanding of the interdependent nature of life on the planet. Education on international peace and security issues will play a fundamental part in allowing every individual to realize his or her role as a responsible member of the world community.

B

Report of the Disarmament Commission

The General Assembly,

Having considered the annual report of the Disarmament Commission,[28]

Emphasizing again the importance of an effective follow-up to the relevant recommendations and decisions contained in the Final Document of the Tenth Special Session of the General Assembly,[15] the first special session devoted to disarmament,

Taking into account the relevant sections of the Concluding Document of the Twelfth Special Session of the General Assembly,[63] the second special session devoted to disarmament,

Also taking into account widespread views expressed during the fifteenth special session of the General Assembly, the third special session devoted to disarmament,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions of the tenth special session,

Recalling its resolutions 33/71 H of 14 December 1978, 34/83 H of 11 December 1979, 35/152 F of 12 December 1980, 36/92 B of 9 December 1981, 37/78 H of 9 December 1982, 38/183 E of 20 December 1983, 39/148 R of 17 December 1984, 40/152 F of 16 December 1985, 41/86 E of 4 December 1986, 42/42 G of 30 November 1987, 43/78 A of 7 December 1988 and 44/119 C of 15 December 1989,

1. *Takes note* of the annual report of the Disarmament Commission;

2. *Notes with appreciation* that the Disarmament Commission has concluded its consideration of all substantive items on its agenda, except the item on objective information on military matters;

3. *Commends* the Disarmament Commission for its adoption by consensus of the specific recommendations on the following subjects on its agenda: (*a*) South Africa's nuclear capability, (*b*) the role of the United Nations in the field of disarmament, (*c*) conventional disarmament and (*d*) the draft Declaration of the 1990s as the Third Disarmament Decade;

4. *Notes* that the findings and recommendations contained in the report of the Chairman of the Disarmament Commission on the item regarding naval armaments and disarmament[72] are endorsed by all participants in his consultations;

5. *Also notes* that no consensus could be reached on specific recommendations for the item regarding various aspects of the arms race, particularly the nuclear-arms race and nuclear disarmament, as well as a general approach to negotiations on nuclear and conventional disarmament;

6. *Recalls* the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

7. *Stresses* the importance for the Disarmament Commission of working on the basis of a relevant agenda of disarmament topics, thereby enabling the Commission to concentrate its efforts and thus optimize its progress on specific subjects in accordance with resolution 37/78 H;

8. *Notes with satisfaction* that the Disarmament Commission adopted by consensus a set of "Ways and means to enhance the functioning of the Disarmament Commission" at its 1990 substantive session;

9. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly, and with paragraph 3 of resolution 37/78 H, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";

10. *Recommends* that the Disarmament Commission, as a result of consultations, adopt at its 1990 organizational session the following substantive items for inclusion in the working agenda of the 1991 session of the Commission:

(1) Objective information on military matters;

(2) Process of nuclear disarmament in the framework of international peace and security with the objective of the elimination of nuclear weapons;

(3) Regional approach to disarmament within the context of global security;

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[72] *Ibid.*, para. 33.

(4) The role of science and technology in the context of international security, disarmament and other related fields;

11. *Also requests* the Disarmament Commission to meet for a period not exceeding four weeks during 1991 and to submit a substantive report to the General Assembly at its forty-sixth session;

12. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament,[37] together with all the official records of the forty-fifth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

13. *Also requests* the Secretary-General to ensure full provision to the Commission and its subsidiary bodies of interpretation and translation facilities in the official languages, and to assign, as a matter of priority, all the necessary resources and services to this end;

14. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Disarmament Commission".

54th plenary meeting
4 December 1990

C

CESSATION OF THE NUCLEAR-ARMS RACE AND NUCLEAR DISARMAMENT AND PREVENTION OF NUCLEAR WAR

The General Assembly,

Believing that all nations have a vital interest in negotiations on nuclear disarmament because the existence of nuclear weapons jeopardizes the vital security interests of both nuclear- and non-nuclear-weapon States alike,

Recalling its resolution 44/119 E of 15 December 1989,

Recalling also that the international community, through the Final Document of the Tenth Special Session of the General Assembly,[15] the first special session devoted to disarmament, has agreed that the nuclear-arms race, far from contributing to the strengthening of the security of all States, increases the danger of the outbreak of a nuclear war,

Noting the reaffirmation by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, that nuclear disarmament is a process in which all nations should participate, and its view that the ongoing process of disarmament could be accelerated and its coverage widened through the common endeavour of the entire international community,[7]

Taking into account that all nuclear-weapon States, in particular those with the most important nuclear arsenals, bear a special responsibility for the fulfilment of the task of achieving the goals of nuclear disarmament,

Convinced that the prevention of nuclear war and the reduction of the risk of nuclear war are matters of the highest priority and of vital interest to all people of the world,

Encouraged by the continued recognition by the Union of Soviet Socialist Republics and the United States of America that a nuclear war cannot be won and must never be fought,

Aware of the fact that the prevention of nuclear war and the reduction of the risk of nuclear war are inextricably linked with the cessation of the nuclear-arms race and nuclear disarmament, and that consequently they should be viewed in their interrelationship as essential elements of a process of general and complete disarmament,

Convinced also that all avenues should be explored to ensure that progress is made in these two vital fields, and convinced further of the imperative need to take constructive multilateral action to complement and reinforce the bilateral process under way,

1. *Reaffirms* that multilateral and bilateral negotiations on nuclear questions should complement and facilitate each other;

2. *Believes* that efforts should be intensified in order to initiate multilateral negotiations in accordance with the provisions of paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly;

3. *Reiterates* that, in view of the importance of the matter, it is equally necessary to devise suitable steps to expedite effective action for the prevention of nuclear war;

4. *Requests* the Conference on Disarmament to establish *ad hoc* committees at the beginning of its 1991 session on both the cessation of the nuclear-arms race and nuclear disarmament and the prevention of nuclear war with adequate mandates in order to allow a structured and practical analysis of how the Conference can best contribute to progress on these two urgent matters;

5. *Also requests* the Conference on Disarmament to report to the General Assembly at its forty-sixth session on its consideration of those subjects;

6. *Decides* to include in the provisional agenda of its forty-sixth session the items entitled "Cessation of the nuclear-arms race and nuclear disarmament" and "Prevention of nuclear war".

54th plenary meeting
4 December 1990

D

REPORT OF THE CONFERENCE ON DISARMAMENT

The General Assembly,

Recalling its resolutions 34/83 B of 11 December 1979, 35/152 J of 12 December 1980, 36/92 F of 9 December 1981, 37/78 G of 9 December 1982, 38/183 I of 20 December 1983, 39/148 N of 17 December 1984, 40/152 M of 16 December 1985, 41/86 M of 4 December 1986, 42/42 L of 30 November 1987, 43/78 M of 7 December 1988 and 44/119 D of 15 December 1989,

Having considered the report of the Conference on Disarmament,[37]

Convinced that the Conference on Disarmament, as the single multilateral negotiating body on disarmament, should have the primary role in substantive negotiations on priority questions of disarmament,

Expressing its regret that the Conference on Disarmament was not able in 1990 to commence negotiations on the nuclear issues on its agenda, *Expressing its expectation* that the Conference on Disarmament, in view of the positive current process in some fields of disarmament, will be in a position to reach concrete agreements on disarmament issues to which the United Nations has assigned the greatest priority and urgency and which have been under consideration for a number of years,

Considering that in the present international climate it is more than ever imperative to give a new impetus to negotiations on disarmament at all levels and to achieve genuine progress in the immediate future,

Taking note with satisfaction of the relevant paragraphs of the report of the Conference on Disarmament on the progress towards improved and effective functioning of the Conference[73] and expressing the hope that the process will continue in all aspects of its work,

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Notes* the progress in the negotiations on the elaboration of a draft convention on the complete and effective prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction, and urges the Conference on Disarmament to intensify its work with a view to completing negotiations on such a draft convention as soon as possible;

3. *Also notes* the re-establishment of the *Ad Hoc* Committee on a Nuclear Test Ban;

4. *Calls upon* the Conference on Disarmament to strengthen its work, to further its mandate through substantive negotiations, within the framework of *ad hoc* committees as the most appropriate mechanism, and to adopt concrete measures on the specific priority issues of disarmament on its agenda, in accordance with the Programme of Action set forth in section III of the Final Document of the Tenth Special Session of the General Assembly;[15]

5. *Urges* the Conference on Disarmament to provide negotiating mandates to *ad hoc* committees on all agenda items, in keeping with the fundamental role of the Conference as identified in the Final Document of the Tenth Special Session;

6. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its forty-sixth session;

7. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Conference on Disarmament".

54th plenary meeting
4 December 1990

E

COMPREHENSIVE PROGRAMME OF DISARMAMENT

The General Assembly,

Recalling its resolution 2602 E (XXIV) of 16 December 1969, in which it declared the decade of the 1970s as a Disarmament Decade and requested, *inter alia*, the then Conference of the Committee on Disarmament to work out "a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline to chart the course of its further work and its negotiations",

Recalling also its resolution 35/46 of 3 December 1980, by which it adopted the Declaration of the 1980s as the Second Disarmament Decade, which, *inter alia*, called for the elaboration of the comprehensive programme of disarmament with the utmost urgency,

Recalling further its resolution 44/119 A of 15 December 1989, in which it called upon the Conference on Disarmament to consider, at the beginning of its 1991 session, the resumption of the work of the *Ad Hoc* Committee on the Comprehensive Programme of Disarmament with the aim of resolving the outstanding issues in order to conclude the elaboration of the programme,

Having examined the part of the report of the Conference on Disarmament which contains the agreement that the organizational framework to deal with the comprehensive programme of disarmament, as in the case of other of its agenda items, shall be considered at the beginning of the 1991 session,[74]

Bearing in mind the conclusions reached by the *Ad Hoc* Committee on the Comprehensive Programme of Disarmament in its report of 1989 to the effect that "it should resume work with the view to resolving the outstanding issues in the near future, when circumstances are more conducive to making progress in this regard",[75]

Considering that the present improvement in East-West relations provides the appropriate scenario for a renewed effort towards the conclusion of the comprehensive programme of disarmament,

Considering also that the conclusion of the elaboration of the comprehensive programme of disarmament would constitute an important contribution to the success of the Third Disarmament Decade and to the role of the United Nations in the field of disarmament,

1. *Requests* the Conference on Disarmament to re-establish, at the beginning of its 1991 session, the *Ad Hoc* Committee on the Comprehensive Programme of Disarmament;

2. *Recommends* that the *Ad Hoc* Committee on the Comprehensive Programme of Disarmament continue its work, building on the texts already agreed to, with the view to resolving the outstanding issues and thus concluding negotiations on it;

3. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Comprehensive programme of disarmament".

54th plenary meeting
4 December 1990

F

IMPLEMENTATION OF THE GUIDELINES FOR APPROPRIATE TYPES OF CONFIDENCE-BUILDING MEASURES

The General Assembly,

Recalling its resolution 43/78 H, adopted without a vote on 7 December 1988,

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[73] *Ibid., Supplement No. 27* (A/45/27), paras. 16-18.

[74] *Ibid.*, para. 133.

[75] *Ibid., Forty-fourth Session, Supplement No. 27* (A/44/27), para. 100 (para. 7 of the quoted text).

Reiterating its support for the guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level,[76] as endorsed in that resolution,

Welcoming the report of the Secretary-General[77] on experience reported by Member States with the implementation of confidence-building measures,

Bearing in mind that confidence-building is a dynamic process over time, and an interim assessment taking account of the experience gained may be valuable,

Noting with satisfaction the encouraging results of specific confidence-building measures agreed upon and implemented in some regions,

Bearing in mind also the particular need for confidence-building measures at times of political tension and crises as well as their potential to prevent such situations from arising,

Bearing in mind further that confidence-building measures pursued at the regional level can contribute to the development of global security,

Considering that confidence-building measures, especially when applied in a comprehensive manner, can be conducive to achieving structures of security based on co-operation and openness,

Pointing to the example of progress in the implementation of confidence- and security-building measures adopted at Stockholm in 1986 that has contributed to more stable relations and increased security, reducing the risk of military confrontation in Europe,

Aware that there are situations peculiar to specific regions that have a bearing on the nature of the confidence-building measures feasible in those regions,

1. *Recommends* the guidelines to all States for implementation, taking fully into account the specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

2. *Also recommends* to all States that have started to implement confidence-building measures to pursue further and strengthen this process;

3. *Appeals* to all States to consider the widest possible use of confidence-building measures in their international relations, including bilateral, regional and global negotiations, especially in times of political tension and crises;

4. *Invites* the Secretary-General to continue to collect relevant information from all Member States;

5. *Appeals* to all Member States that have not yet done so to make their contribution to the report of the Secretary-General;

6. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Implementation of the guidelines for appropriate types of confidence-building measures".

54th plenary meeting
4 December 1990

G

TENTH ANNIVERSARY OF THE UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH

The General Assembly,

Recalling its resolution 34/83 M of 11 December 1979, in which it requested the Secretary-General to establish the United Nations Institute for Disarmament Research on the basis of the recommendations contained in the report of the Secretary-General,[78]

Reaffirming its resolution 39/148 H of 17 December 1984, in which it approved the Statute of the United Nations Institute for Disarmament Research, renewed the invitation to Governments to consider making voluntary contributions to the Institute and requested the Secretary-General to continue to give the Institute administrative and other support,

Recalling also its resolution 42/42 J of 30 November 1987, in which it took note with appreciation of the report of the Advisory Board on Disarmament Studies[79] and noted that the establishment of the Institute offered new opportunities regarding research in the field of disarmament,

Noting that the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, expressed in its final document on international security and disarmament[7] their appreciation for the research work conducted by the Institute and stressed the need to ensure its continued viability by assured financial support from the regular budget of the United Nations and through voluntary contributions,

Considering the need for the international community to have access to independent and in-depth research on disarmament, in particular on emerging problems and the foreseeable consequences of disarmament,

Noting also in this regard the importance of research on the economic aspects of disarmament,

Having considered the annual report of the Director of the Institute[80] and the report of the Advisory Board on Disarmament Matters[81] acting in its capacity as Board of Trustees of the Institute,

1. *Notes* the tenth anniversary of the establishment of the United Nations Institute for Disarmament Research;

2. *Recognizes* the increased importance and high quality of the work of the Institute in the execution of its mandate under its Statute;

3. *Reiterates* the conviction that the Institute should continue to conduct independent research on problems relating to disarmament and should be further encouraged to undertake specialized research or research requiring a high degree of expertise;

4. *Calls upon* all Member States and public or private institutions to consider making contributions to the Institute in order to ensure its long-term viability and to fulfil the objectives set out in section IV of General Assembly resolution 44/201 B of 21 December 1989;

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[76] *Ibid., Fifteenth Special Session, Supplement No. 3* (A/S-15/3), para. 41 (para. 6 of the quoted text).

[77] A/45/397.

[78] A/34/589.

[79] A/42/300, annex.

[80] A/45/392, annex I.

[81] *Ibid.*, annex II.

5. *Recommends* the continued implementation of the Statute of the Institute;

6. *Invites* the Director of the Institute and the Advisory Board on Disarmament Matters to continue to report annually to the General Assembly on the activities conducted by the Institute;

7. *Requests* the Institute to prepare, with the assistance of independent experts, a research report on the economic aspects of disarmament and to report to the General Assembly, through the Secretary-General, at its forty-seventh session, the costs of this research project being shared between the regular budget of the United Nations and voluntary contributions.

54th plenary meeting
4 December 1990

45/63. Israeli nuclear armament

The General Assembly,

Bearing in mind its previous resolutions on Israeli nuclear armament, the latest of which is resolution 44/121 of 15 December 1989,

Recalling its resolution 44/108 of 15 December 1989, in which, *inter alia,* it called for placing all nuclear facilities in the region under International Atomic Energy Agency safeguards, pending the establishment of a nuclear-weapon-free zone in the Middle East,

Recalling also Security Council resolution 487 (1981) of 19 June 1981, in which, *inter alia,* the Council called upon Israel urgently to place all its nuclear facilities under Agency safeguards,

Noting that only Israel has been specifically called upon by the Security Council to place its nuclear facilities under Agency safeguards,

Noting with grave concern Israel's persistent refusal to commit itself not to manufacture or acquire nuclear weapons, despite repeated calls by the General Assembly, the Security Council and the International Atomic Energy Agency,

Taking note of resolution GC (XXXIV)/RES/526, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency,

Taking into consideration the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7] in paragraph 12 of which Israel was condemned for continuing to develop its nuclear military programmes and weapons of mass destruction and for its refusal to implement the resolutions of the United Nations and the International Atomic Energy Agency in this regard,

Deeply alarmed by the information with regard to the continuing production, development and acquisition of nuclear weapons by Israel and its testing of their delivery systems in the Mediterranean, thus threatening the peace and security of the region,

Aware of the grave consequences that endanger international peace and security as a result of Israel's development and acquisition of nuclear weapons and Israel's collaboration with South Africa to develop nuclear weapons and their delivery systems,

Deeply concerned that Israel has not committed itself to refrain from attacking or threatening to attack safeguarded nuclear facilities,

1. *Reiterates its condemnation* of Israel's refusal to renounce any possession of nuclear weapons;

2. *Reiterates also its condemnation* of the co-operation between Israel and South Africa in the military field;

3. *Expresses its deep concern* regarding the information on Israel's continuing production, development and acquisition of nuclear weapons and testing of their delivery systems;

4. *Reaffirms* that Israel should promptly apply Security Council resolution 487 (1981), in which the Council, *inter alia,* requested it to place all nuclear facilities under International Atomic Energy Agency safeguards and to refrain from attacking or threatening to attack nuclear facilities;

5. *Calls upon* all States and organizations that have not yet done so not to co-operate with or give assistance to Israel that could enhance its nuclear-weapons capability;

6. *Requests* the International Atomic Energy Agency to inform the Secretary-General of any steps Israel may take to place its nuclear facilities under Agency safeguards;

7. *Requests* the Secretary-General to follow closely Israeli nuclear activities and to report thereon to the General Assembly at its forty-sixth session;

8. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Israeli nuclear armament".

54th plenary meeting
4 December 1990

45/64. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolutions 32/152 of 19 December 1977, 35/153 of 12 December 1980, 36/93 of 9 December 1981, 37/79 of 9 December 1982, 38/66 of 15 December 1983, 39/56 of 12 December 1984, 40/84 of 12 December 1985, 41/50 of 3 December 1986, 42/30 of 30 November 1987 and 43/67 of 7 December 1988,

Recalling with satisfaction the adoption, ten years ago, on 10 October 1980, of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[82] together with the Protocol on Non-Detectable Fragments (Protocol I),[82] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[82] and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),[82]

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[82] See *The United Nations Disarmament Yearbook,* vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

Reaffirming its conviction that general agreement on the prohibition or restriction of use of specific conventional weapons would significantly reduce the suffering of civilian populations and of combatants,

Taking note with satisfaction of the report of the Secretary-General,[83]

1. *Notes with satisfaction* that an increasing number of States have either signed, ratified, accepted or acceded to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which was opened for signature in New York on 10 April 1981;

2. *Also notes with satisfaction* that, consequent upon the fulfilment of the conditions set out in article 5 of the Convention, the Convention and the three Protocols annexed thereto entered into force on 2 December 1983;

3. *Urges* all States that have not yet done so to exert their best endeavours to become parties to the Convention and the Protocols annexed thereto as early as possible, so as ultimately to obtain universality of adherence;

4. *Stresses* that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the annexed Protocols, to consider additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols or to review the scope and operation of the Convention and the Protocols annexed thereto and to consider any proposal for amendments to the Convention or to the existing Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing Protocols;

5. *Requests* the Secretary-General as depositary of the Convention and its three annexed Protocols to inform the General Assembly from time to time of the state of adherence to the Convention and its Protocols;

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

54th plenary meeting
4 December 1990

45/65. Study on the role of the United Nations in the field of verification

The General Assembly,

Recalling its resolutions 40/152 O of 16 December 1985, 41/86 Q of 4 December 1986, 42/42 F of 30 November 1987 and 43/81 B of 7 December 1988,

Underlining the important role that the United Nations, in accordance with its Charter, has to play in the sphere of disarmament,

Recalling also that all the peoples of the world have a vital interest in the success of disarmament negotiations and that, consequently, all States have the duty to contribute to efforts in the field of disarmament,

Noting that the critical importance of verification of and compliance with arms limitation and disarmament agreements is universally recognized,

Stressing that the issue of verification of and compliance with arms limitation and disarmament agreements is a matter of concern to all nations,

Recognizing that the United Nations, in accordance with its role and responsibilities established under the Charter, can make a significant contribution in the field of verification, in particular of multilateral agreements,

Reiterating its view that:

(*a*) Disarmament and arms limitation agreements should provide for adequate and effective measures of verification satisfactory to all parties concerned in order to create the necessary confidence and to ensure that they are being observed by all parties;

(*b*) The form and modalities of the verification to be provided for in any specific agreement depend upon and should be determined by the purposes, scope and nature of the agreement;

(*c*) Agreements should provide for the participation of parties directly or through the United Nations system in the verification process;

(*d*) Where appropriate, a combination of several methods of verification as well as other compliance procedures should be employed,

Recalling that:

(*a*) In the context of international disarmament negotiations, the problem of verification should be further examined and adequate methods and procedures in this field should be considered;

(*b*) Every effort should be made to develop appropriate methods and procedures that are non-discriminatory and that do not interfere unduly with the internal affairs of States parties or other States or jeopardize their economic, technological and social development,

Taking note of all proposals that had been put forward in the field of verification by Member States,[84] including those by Canada and the Netherlands, France and the countries of the Six-Nation Initiative,[13]

Affirming its support for the sixteen principles of verification drawn up by the Disarmament Commission,[85]

Noting that recent developments in international relations have underscored the importance of effective verification of existing and future arms limitation and disarmament agreements,

Recalling that by resolution 43/81 B it requested the Secretary-General to undertake, with the assistance of a group of qualified governmental experts, an in-depth study of the role of the United Nations in the field of verification that would:

(*a*) Identify and review existing activities of the United Nations in the field of verification of arms limitation and disarmament;

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[83] A/43/589.

[84] See *Official Records of the General Assembly, Fifteenth Special Session, Supplement No. 3* (A/S-15/3), para. 60 (para. 6, sect. III.2, of the quoted text).

[85] *Ibid.*, para. 60 (para. 6, sect. I, of the quoted text).

(*b*) Assess the need for improvements in existing activities as well as explore and identify possible additional activities, taking into account organizational, technical, operational, legal and financial aspects;

(*c*) Provide specific recommendations for future action by the United Nations in this context;
and to submit a comprehensive report on this subject to the General Assembly at its forty-fifth session,

1. *Welcomes* the report of the Secretary-General;[86]

2. *Notes* that the report was approved by the Group of Qualified Governmental Experts to Undertake a Study on the Role of the United Nations in the Field of Verification;

3. *Commends* the report to the attention of Member States;

4. *Requests* the Secretary-General to give the report the widest possible circulation;

5. *Also requests* the Secretary-General to take appropriate action within available resources on the recommendations of the Group;

6. *Encourages* Member States to give active consideration to the recommendations contained in the concluding chapter of the report and to assist the Secretary-General in their implementation where appropriate;

7. *Further requests* the Secretary-General to report to the General Assembly at its forty-seventh session on actions taken by Member States and by the United Nations Secretariat to implement these recommendations;

8. *Decides* to include in the provisional agenda of its forty-seventh session an item entitled "Verification in all its aspects, including the role of the United Nations in the field of verification".

54th plenary meeting
4 December 1990

45/66. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons

The General Assembly,

Recalling its previous resolutions on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

Taking note of paragraph 77 of the Final Document of the Tenth Special Session of the General Assembly,[15]

Determined to prevent the emergence of new types of weapons of mass destruction that have characteristics comparable in destructive effect to those of weapons of mass destruction identified in the definition of weapons of mass destruction adopted by the United Nations in 1948,[87]

Noting that in the course of its 1989 and 1990 sessions the Conference on Disarmament considered the item entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons",

Taking into account the sections of the reports of the Conference on Disarmament relating to this question,[88]

1. *Reaffirms* that effective measures should be undertaken to prevent the emergence of new types of weapons of mass destruction;

2. *Requests* the Conference on Disarmament, in the light of its existing priorities, to keep under review, with expert assistance, as appropriate, the questions of the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons with a view to making, when necessary, recommendations on undertaking specific negotiations on the identified types of such weapons;

3. *Calls upon* all States, immediately following the recommendation of the Conference on Disarmament, to give favourable consideration to these recommendations;

4. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this item by the General Assembly at its forty-fifth session;

5. *Requests* the Conference on Disarmament to continue the practice of reporting the results of its consideration of these questions in its annual report to the General Assembly;

6. *Decides* to include in the provisional agenda of its forty-eighth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

54th plenary meeting
4 December 1990

45/77. Implementation of the Declaration of the Indian Ocean as a Zone of Peace

The General Assembly,

Recalling the Declaration of the Indian Ocean as a Zone of Peace, contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolutions 2992 (XXVII) of 15 December 1972, 3080 (XXVIII) of 6 December 1973, 3259 A (XXIX) of 9 December 1974, 3468 (XXX) of 11 December 1975, 31/88 of 14 December 1976, 32/86 of 12 December 1977, S-10/2 of 30 June 1978, 33/68 of 14 December 1978, 34/80 A and B of 11 December 1979, 35/150 of 12 December 1980, 36/90 of 9 December 1981, 37/96 of 13 December 1982, 38/185 of 20 December 1983, 39/149 of 17 December 1984, 40/153 of 16 December 1985, 41/87 of 4 December 1986, 42/43 of 30 November 1987, 43/79 of 7 December 1988, 44/120 of 15 December 1989 and other relevant resolutions,

Reaffirming that the establishment of zones of peace in various regions of the world under appropriate conditions, to be clearly defined and determined freely by the States concerned in the zone, taking into account the characteristics of the zone and the principles of the Charter of the United Nations and in conformity with international law, can contribute to strengthening the security of States within such zones and to international peace and security as a whole,

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[86] A/45/372 and Corr.1.

[87] The definition was adopted by the Commission for Conventional Armaments (see S/C.3/32/Rev.1).

[88] *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 27* (A/44/27), paras. 94-98 and *ibid., Forty-fifth Session, Supplement No. 27* (A/45/27), paras. 122-126.

Recalling also the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean,[89]

Noting that the *Ad Hoc* Committee on the Indian Ocean, during its preparatory session in July 1989,[90] commemorated the tenth anniversary of the Meeting of the Littoral and Hinterland States of the Indian Ocean, which took place on 13 July 1979,

Recalling further paragraph 22 of the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7]

Reaffirming its conviction that concrete action for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace would be a substantial contribution to the strengthening of international peace and security, as well as to the independence, sovereignty, territorial integrity and peaceful development of the States of the region,

Convinced that agreement on such action should be facilitated by encouraging developments in international relations that could have beneficial effects on the region,

Also convinced that the continued military presence of the great Powers in the Indian Ocean area, conceived in the context of their confrontation, gives urgency to the need to take practical steps for the early achievement of the objectives of the Declaration,

Considering that the creation of the zone of peace requires co-operation and agreement among the States of the region to ensure conditions of peace and security within the area, as envisaged in the Declaration,

Noting with appreciation the offer made by the Government of Sri Lanka to host the Conference on the Indian Ocean at Colombo, in 1992,

Regretting the decision of some members to withdraw from the *Ad Hoc* Committee, and expressing the hope that they would reconsider their position,

1. *Takes note* of the report of the *Ad Hoc* Committee on the Indian Ocean;[91]

2. *Reaffirms* full support for the achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace;

3. *Reiterates and emphasizes* its decision to convene the Conference on the Indian Ocean at Colombo, as a necessary step for the implementation of the Declaration of the Indian Ocean as a Zone of Peace, adopted in 1971;

4. *Renews* the mandate of the *Ad Hoc* Committee as defined in the relevant resolutions, and requests the Committee to intensify its work with regard to the implementation of its mandate;

5. *Notes with satisfaction* that, in the implementation of the mandate of the *Ad Hoc* Committee, including the preparatory work for the convening of the Conference, as called for in the relevant resolutions recommended by the Committee and adopted by the General Assembly by consensus, significant progress has been made in the preparatory work, in particular in the preparation of the draft agenda and the draft rules of procedure of the Conference;

6. *Also notes with satisfaction* that the Working Group of the *Ad Hoc* Committee has made considerable progress in identifying substantive elements at the 1989 session of the Committee,[92] and urges the *Ad Hoc* Committee to intensify its discussions on substantive issues and principles, with the aim of elaborating elements that might be taken into consideration during the subsequent preparation of a draft final document of the Conference;

7. *Requests* the *Ad Hoc* Committee to hold two preparatory sessions during 1991, the first with a duration of one week and the second with a duration of two weeks, for completion of the remaining preparatory work relating to the Conference on the Indian Ocean to enable the convening of the Conference at Colombo in 1992 in consultation with the host country;

8. *Requests* the Chairman of the *Ad Hoc* Committee to continue his consultations on the participation in the work of the Committee by States Members of the United Nations that are not members of the Committee, with the aim of resolving this matter at the earliest possible date;

9. *Requests* the *Ad Hoc* Committee to submit to the General Assembly at its forty-sixth session a full report on the implementation of the present resolution;

10. *Requests* the Secretary-General to continue to render all necessary assistance to the *Ad Hoc* Committee, including the provision of summary records, in recognition of its preparatory functions.

66th plenary meeting
12 December 1990

45/78. Question of Antarctica

A

The General Assembly,

Having considered the item entitled "Question of Antarctica",

Recalling its resolutions 38/77 of 15 December 1983, 39/152 of 17 December 1984, 40/156 A and B of 16 December 1985, 41/88 A and B of 4 December 1986, 42/46 A and B of 30 November 1987, 43/83 A and B of 7 December 1988 and 44/124 A and B of 15 December 1989,

Recalling also the relevant paragraphs of the final documents adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7] the second meeting of States of the Zone of Peace and Co-operation of the South Atlantic, held at Abuja, Nigeria, from 25 to 29 June 1990,[93] and the Nineteenth Islamic Conference of Foreign Ministers, held at Cairo from 31 July to 5 August 1990,[94]

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[89] *Ibid., Thirty-fourth Session, Supplement No. 45* and corrigendum (A/34/45 and Corr.1).

[90] A/AC.159/SR.357; see also *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 29* (A/44/29), sect. II.C.

[91] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 29* (A/45/29).

[92] A/AC.159/L.93, annex.

[93] See A/45/474, annex.

[94] See A/45/421-S/21797, annex IV, res. 17/19-E.

Taking into account the debates on this item held since its thirty-eighth session,

Reaffirming the principle that the international community is entitled to information covering all aspects of Antarctica and that the United Nations should be made the repository for all such information in accordance with General Assembly resolutions 41/88 A, 42/46 B, 43/83 A and 44/124 B,

Conscious of the particular significance of Antarctica to the international community in terms, *inter alia,* of international peace and security, environment, its effects on global climatic conditions, economy and scientific research,

Conscious also of the interrelationship between Antarctica and the physical, chemical and biological processes that regulate the total Earth system,

Welcoming the increasing recognition of the significant impact that Antarctica exerts on the global environment and ecosystems and of the need for a comprehensive agreement on the protection and conservation of the Antarctic environment and its dependent and associated ecosystems,

Sharing the concern over the environmental degradation of Antarctica and its impact on global environment expressed at the first substantive session of the Preparatory Committee for the United Nations Conference on Environment and Development, held at Nairobi from 6 to 31 August 1990,

Welcoming also the increasing support for the establishment of Antarctica as a nature reserve or world park to ensure the protection and conservation of its environment and its dependent and associated ecosystems for the benefit of all mankind,

Welcoming further the increasing support within the international community for the banning of prospecting and mining in and around Antarctica,

Welcoming the initiative taken by some Antarctic Treaty Consultative Parties in promoting Antarctica as a nature reserve or world park and the banning of prospecting and mining in and around Antarctica,

Welcoming also the ongoing trend in acknowledging the need for internationally co-ordinated scientific research stations in Antarctica in order to minimize unnecessary duplication and logistical support facilities,

Welcoming further the increasing awareness of and interest in Antarctica shown by the international community, and convinced of the advantages to the whole of mankind of a better knowledge of Antarctica,

Affirming its conviction that, in the interest of all mankind, Antarctica should continue for ever to be used exclusively for peaceful purposes and that it should not become the scene or object of international discord,

Reaffirming that the management and use of Antarctica should be conducted in accordance with the purposes and principles of the Charter of the United Nations and in the interest of maintaining international peace and security and of promoting international co-operation for the benefit of mankind as a whole,

Convinced of the need to prevent or minimize any negative impact of human activity resulting from the large number of scientific stations and expeditions in Antarctica on the environment and its dependent and associated ecosystems,

Taking into account all aspects pertaining to all areas covered by the Antarctic Treaty,[95]

Taking note with appreciation of the reports of the Secretary-General on the question of Antarctica of 6 September 1990[96] and 8 September 1990,[97]

1. *Expresses its regret* that, despite the numerous resolutions adopted by the General Assembly, the Secretary-General or his representative has not been invited to the meetings of the Antarctic Treaty Consultative Parties, including the special session of the Antarctic Treaty Consultative Meeting at Santiago from 19 November to 7 December 1990, and urges once again the Consultative Parties to invite the Secretary-General or his representative to their future meetings;

2. *Calls upon* the Antarctic Treaty Consultative Parties to deposit information and documents covering all aspects of Antarctica with the Secretary-General of the United Nations, and requests the Secretary-General to submit a report on his evaluations thereon to the General Assembly at its forty-sixth session;

3. *Expresses the conviction* that any move to draw up a comprehensive environmental convention on the conservation and protection of Antarctica and its dependent and associated ecosystems as well as establishing a nature reserve or world park must be negotiated with the full participation of the international community, and in this regard stresses that this should be pursued within the context of the United Nations system, including the United Nations Conference on Environment and Development;

4. *Urges* all members of the international community to support all efforts to ban prospecting and mining in and around Antarctica and to ensure that all activities are carried out exclusively for the purpose of peaceful scientific investigation and that all such activities ensure the maintenance of international peace and security in Antarctica and the protection of its environment and are for the benefit of all mankind;

5. *Requests* the Secretary-General to undertake a comprehensive study with the help of relevant United Nations programmes and specialized agencies such as the World Meteorological Organization and the United Nations Environment Programme, using available data and resources, on the establishment of a United Nations–sponsored station in Antarctica with a view to promoting co-ordinated international co-operation in scientific research for the benefit of mankind, particularly the importance of Antarctica to the global environment and ecosystems, as well as to act as an early-warning system on climate change and accidents, and submit a report thereon to the General Assembly at its forty-sixth session;

6. *Urges* all States Members of the United Nations to co-operate with the Secretary-General and to continue consultations on all aspects relating to Antarctica;

7. *Also requests* the Secretary-General to submit a report, using available data and resources, on the state of the environment in Antarctica and its impact on the global system to the General Assembly at its forty-sixth session;

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[95] United Nations, *Treaty Series,* vol. 402, No. 5778.

[96] A/45/458.

[97] A/45/459.

8. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Question of Antarctica".

66th plenary meeting
12 December 1990

B

The General Assembly,

Recalling its resolutions 43/83 B of 7 December 1988 and 44/124 A and B of 15 December 1989,

Having considered the item entitled "Question of Antarctica",

Noting with regret that the racist *apartheid* régime of South Africa, which has been suspended from participation in the General Assembly of the United Nations, has continued to participate in the meetings of the Antarctic Treaty Consultative Parties,

Recalling the resolution adopted by the Council of Ministers of the Organization of African Unity at its fiftieth ordinary session, held at Addis Ababa from 17 to 22 July 1989,[57]

Recalling also the final document on Antarctica adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[7]

Recalling further that the Antarctic Treaty[95] is, by its terms, intended to further the purposes and principles embodied in the Charter of the United Nations,

Noting that the policy of *apartheid* practised by the racist minority régime of South Africa, which has been universally condemned, constitutes a threat to regional and international peace and security,

1. *Takes note* of the report of the Secretary-General,[96] and expresses deep concern that no concrete measures have been taken in accordance with paragraph 2 of resolution 44/124 A;

2. *Views with concern* the continuing participation of the *apartheid* régime of South Africa in the meetings of the Antarctic Treaty Consultative Parties;

3. *Appeals once again* to the Antarctic Treaty Consultative Parties to take urgent measures to exclude the racist *apartheid* régime from participation in the meetings of the Consultative Parties at the earliest possible date, and invites them to inform the Secretary-General of the measures taken regarding the provisions of the present resolution;

4. *Requests* the Secretary-General to submit a report in this regard to the General Assembly at its forty-sixth session, taking into account the concern expressed in paragraph 1 of the present resolution;

5. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Question of Antarctica".

66th plenary meeting
12 December 1990

45/79. Strengthening of security and co-operation in the Mediterranean region

The General Assembly,

Recalling its relevant resolutions, including its resolution 44/125 of 15 December 1989,

Recognizing the importance of intensifying and promoting peace, security and co-operation in the Mediterranean region and of strengthening further the economic, commercial and cultural links in the region,

Reaffirming the primary role of the Mediterranean countries in the promotion of peace, security and co-operation in the Mediterranean region,

Expressing concern at the persistent tension and continuing military operations and activities in parts of the Mediterranean region and the consequent threat to peace and security,

Welcoming the favourable developments in international political relations, and expressing the hope that the enhancement of security and co-operation, particularly in Europe, will also have a positive impact on the Mediterranean region,

Reaffirming also the responsibility of all States to conform in their actions to the purposes and principles of the Charter of the United Nations, as well as to the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,[98]

Recognizing the efforts realized so far and the determination expressed by the Mediterranean countries to intensify the process of dialogue and consultations aimed at promoting peace, security and co-operation in the region,

Recognizing also the desire of the Mediterranean countries that the needs of their region be taken into account in ongoing and future negotiations relating to international security and disarmament, particularly on the enhancement of security and co-operation in Europe,

Recognizing further the indivisible character of security in the Mediterranean and the need to ensure that all actions are aimed towards the promotion of peace, security and co-operation in the region,

Noting with satisfaction the greater awareness in Europe of the need for interdependent action in the Mediterranean with the aim of contributing to reducing tension, improving good-neighbourly relations and fostering political, cultural and economic progress in the region,

Taking note of the report of the Secretary-General on this item,[99]

1. *Reaffirms* that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. *Welcomes* the determination expressed by Mediterranean countries to intensify their efforts to promote dialogue and co-operation in the region in order to achieve through peaceful settlement just and lasting solutions to those crises which still threaten regional peace and stability, thus ensuring the withdrawal of for-

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[98] Resolution 2625 (XXV), annex.

[99] A/45/713.

eign forces of occupation and the right of peoples under colonial or foreign domination to self-determination and independence, in accordance with the purposes and principles of the Charter of the United Nations;

3. *Takes note* of the conclusions of the Third Ministerial Conference of the Mediterranean Non-Aligned Countries, held at Algiers in June 1990,[100] and of the expressed conviction that an open and sustained dialogue as well as intensive co-operation would increase mutual understanding and trust, thus promoting stability, security and peace in the region;

4. *Expresses satisfaction* at the progress achieved within the Conference on Security and Co-operation in Europe, which has increased substantially the possibilities of implementing the commitment made by the States participating in the Conference to intensify political dialogue and co-operation with all Mediterranean countries in order to strengthen security and work towards the relaxation of tensions and the settlement of crises and conflicts, as well as towards the development of co-operation in the Mediterranean;

5. *Takes note* of the report of the Meeting on the Mediterranean of the Conference on Security and Co-operation in Europe, held at Palma de Mallorca in September and October 1990, which, *inter alia*, reaffirmed the commitment of the States participating in the Conference to, and stressed the continuing relevance of, the provisions of the Conference concerning security and co-operation in the Mediterranean;

6. *Notes* the widespread support among Mediterranean countries for the proposal to convene a conference on security and co-operation in the Mediterranean and their willingness to open regional consultations with a view to creating the appropriate conditions for the initiation of such a process;

7. *Notes also* the progress already achieved in other initiatives promoting security and co-operation in the Mediterranean region, in particular, the 83rd Inter-Parliamentary Conference, held at Nicosia in April 1990, the first Meeting of Ministers for Foreign Affairs of the Western Mediterranean, held at Rome in October 1990, the Meeting of the Ministers for Foreign Affairs of the Balkan States, held at Tirana in October 1990, and the meetings of the Arab Maghreb Union;

8. *Emphasizes* the need for just and peaceful settlement of persistent problems in the region, for respecting and safeguarding the sovereignty, independence and territorial integrity of all countries and peoples of the Mediterranean and for full adherence to the principles of non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter and the relevant resolutions of the United Nations;

9. *Urges* all States to co-operate with the Mediterranean States in the intensification of existing forms of co-operation in various fields, with a view to reducing tension, promoting peace and security and ensuring stability, prosperity and support for democratic processes, economic reforms and development in the countries of the region in accordance with the purposes and principles of the Charter;

10. *Encourages* efforts to eliminate the economic and social disparities in levels of development and to promote durable growth of the Mediterranean States, particularly the developing States of the region, which are displaying sustained efforts to adjust and which are making sacrifices in a still unfavourable environment;

11. *Invites* the Secretary-General to continue to pay close attention to the question of peace, security and co-operation in the Mediterranean region and, if requested to do so, to render advice and assistance to Mediterranean countries in their concerted efforts in promoting peace, security and co-operation in the region;

12. *Invites* all Member States, as well as the relevant regional organizations and subregional groupings, to communicate to the Secretary-General concrete ideas and suggestions concerning this issue, and requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session;

13. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Strengthening of security and co-operation in the Mediterranean region".

66th plenary meeting
12 December 1990

45/80. Review of the implementation of the Declaration on the Strengthening of International Security

The General Assembly,

Conscious that the present stage of mankind's development is distinctive for its technological, economic and political changes, making overall progress possible towards the building of a more peaceful, secure, just, equitable, democratic and humane world,

Stressing that disarmament, the relaxation of international tension, respect for international law and for the purposes and principles of the Charter of the United Nations, especially the principles of the sovereign equality of States and the peaceful settlement of disputes and the injunction to refrain from the use or threat of use of force in international relations, respect for the right to self-determination and national independence, economic and social development, the complete eradication of colonialism, *apartheid* and all other forms of racism and racial discrimination, aggression and occupation, and respect for human rights are closely related and provide the basis for international peace and security,

Welcoming the recent positive changes in the international order, characterized by the end of the cold war and the relaxation of tensions on the global level and the emergence of a new spirit governing international relations,

Welcoming also, in this context, that a number of conflicts and hostilities are being resolved through negotiations in an atmosphere of understanding and co-operation,

Welcoming further the wide-ranging dialogue between the Union of Soviet Socialist Republics and the United States of America, with its positive effects on world developments, and expressing its hope that this process will continue and expand with a view to promoting further international peace and security and co-operation,

Expressing the hope that the positive trends that started in Europe, where a new system of security and co-operation is being built through the process of the Conference on Security and Co-operation in Europe, will continue and will encourage similar trends in other parts of the world,

Expressing at the same time its serious concern over the persisting conflicts and problems and the new threats to international peace and security and its support for all efforts towards a peaceful and just resolution of hotbeds of crisis in the world, including further military disengagement,

Stressing the need for the strengthening of international security through disarmament, particularly nuclear disarmament leading up to the elimination of all nuclear weapons, and restraints on the qualitative and quantitative escalation of the arms race,

Stressing also the growing importance of the relationship between disarmament and development in current international relations,

Considering that there can be no stable and lasting peace and security in the world without the resolution of grave economic problems, particularly the requirements of economic development of developing countries,

Considering also in this context that the economic situation in the developing countries has deteriorated dramatically, widening further the gap between developed and developing countries, especially in the least developed ones,

Considering further that the protection of the environment has emerged as a major global concern, dramatically emphasizing the growing interdependence of the world, which calls for urgent co-operative measures ensuring sustainable and environmentally sound development,

Stressing that the promotion of freedom and human rights is one of the basic objectives of the world community,

Deeply concerned that racism and discrimination based on colour, creed, ethnic origin, culture or way of life are still practised,

Strongly emphasizing that *apartheid* is a particular and repugnant form of institutionalized racism, which civilized nations have rightly condemned as a crime against humanity,

Reaffirming that the United Nations is the fundamental instrument for regulating international relations and resolving international problems and that its main organs, particularly the Security Council, are responsible for the maintenance and effective promotion of international peace and security,

1. *Reaffirms* the continuing validity of the Declaration on the Strengthening of International Security,[101] and calls upon all States to contribute effectively to its implementation;

2. *Reaffirms also* that all States must abide strictly, in their international relations, by their commitment to the Charter of the United Nations;

3. *Emphasizes* that, until an enduring and stable universal peace based on a comprehensive, viable and readily implementable structure of international security is established, peace, the achievement of disarmament and the settlement of disputes by peaceful means continue to be the first and foremost task of the international community;

4. *Calls upon* all States to refrain from the use or threat of use of force, intervention, interference, aggression, foreign occupation and colonial domination or measures of political and economic coercion which violate the sovereignty, territorial integrity, independence and security of other States, as well as the permanent sovereignty of peoples over their natural resources;

5. *Also calls upon* all States to seek, through utilization of the means provided for in the Charter, the peaceful settlement of disputes and the elimination of the focal points of crisis and tension, which constitute a threat to international peace and security;

6. *Stresses* the need for further strengthening of the role of the United Nations in the maintenance of peace and security and promoting respect for international law, as well as in economic and social development and progress for the benefit of mankind;

7. *Welcomes* the recent active involvement of the Security Council, in pursuance of its primary responsibility in the maintenance of international peace and security, and expresses the hope that it will continue in this spirit to address other threats to international peace and security;

8. *Urges* all States, in particular the nuclear-weapon States and other militarily significant States, to take further immediate steps aimed at promoting and using effectively the system of collective security as envisaged in the Charter, as well as halting effectively the arms race with the aim of achieving general and complete disarmament under effective international control, and implementing the recommendations and decisions contained in the Final Document of the Tenth Special Session of the General Assembly;[15]

9. *Emphasizes* that the sustained growth and development of the world economy, particularly that of the developing countries, and the solution of their economic problems, are basic prerequisites for the strengthening of international peace and security;

10. *Stresses* the need for a balanced development of the world economy and for redressing the present asymmetry and inequality in economic and technological development between the developed and developing countries through, *inter alia,* a more broad-based management of the world economy to reflect the interests of all countries;

11. *Considers* that respect for and promotion of human rights and fundamental freedoms in all aspects and the strengthening of international peace and security mutually reinforce each other;

12. *Reaffirms* the legitimacy of the struggle of peoples under colonial domination, foreign occupation or racist régimes and their inalienable right to self-determination and independence;

13. *Reaffirms also* the responsibility of the United Nations on the question of the dismantling of *apartheid,* and calls for the full implementation of the Declaration

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[101] Resolution 2734 (XXV).

on *Apartheid* and its Destructive Consequences in Southern Africa,[102] adopted by the General Assembly at its sixteenth special session;

14. *Reaffirms further* that the democratization of international relations is an imperative necessity, and stresses its belief that the United Nations offers the best framework for the promotion of this goal;

15. *Invites* Member States to submit their views on the question of the implementation of the Declaration on the Strengthening of International Security, particularly in the light of recent developments in the field of international security and co-operation, and requests the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the basis of the replies received;

16. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Review of the implementation of the Declaration on the Strengthening of International Security".

66th plenary meeting
12 December 1990

45/81. Implementation of the Declaration on the Preparation of Societies for Life in Peace

The General Assembly,

Aware of the overwhelming desire to maintain peaceful and secure conditions for the social and economic development of all nations,

Recalling the Declaration on the Preparation of Societies for Life in Peace, contained in its resolution 33/73 of 15 December 1978,

Taking note with appreciation of the report of the Secretary-General,[103]

1. *Recognizes* the impact that the Declaration on the Preparation of Societies for Life in Peace has exerted in efforts designed to promote international peace and security and to raise public awareness of their importance for the future of nations;

2. *Commends* all Governments, the United Nations and the concerned organizations of its system and other international as well as national organizations—both governmental and non-governmental—for their valuable contribution to the implementation of the principles and objectives of the Declaration;

3. *Invites* all States to guide themselves in their activities by principles enshrined in the Declaration aimed at establishing, maintaining and strengthening a just and durable peace for present and future generations;

4. *Appeals* to all States to continue utilizing the United Nations potential to strengthen international peace and security, confidence and understanding as well as mutually beneficial co-operation among States in the common interest of all mankind.

66th plenary meeting
12 December 1990

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[102] Resolution S-16/1, annex.

[103] A/45/575.

IV. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SPECIAL POLITICAL COMMITTEE[1]

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[1] For the decisions adopted on the reports of the Special Political Committee, see sect. X.B.3.

45/70. Science and peace

The General Assembly,

Recalling its resolution 43/61 of 6 December 1988, in which it proclaimed the "International Week of Science and Peace", which would take place each year during the week in which 11 November falls,

Recognizing that this celebration has generated a series of activities and initiatives leading to the study and dissemination of information on the links between progress in science and technology and the maintenance of peace and security,

Considering that progress in science and technology profoundly affects international peace and security, economic and social development, respect for human rights and many other aspects of civilization and culture,

Considering also that political and economic decisions have a decisive effect on the direction of scientific research and the use of the results obtained thereby,

Affirming that it is necessary to promote greater awareness among scientists world wide of the usefulness of science to increase international peace, security and co-operation, the social and economic development of mankind, the promotion of human rights and the protection of the environment,

Affirming, in particular, the need for scientists to establish a free and open dialogue between one another, and with political leaders and the public in general, with regard to scientific developments and their present and potential implications for our civilization,

Considering the importance of encouraging scientists to work towards constructive objectives, to improve the climate for arms control and disarmament, and to promote a dialogue on important topics in connection with the positive contributions that scientific knowledge can make to peace, security and ecological balance,

Considering also that the celebration each year of a special week of action devoted to the topic "Science and peace" is an important means of generating and increasing public interest in this topic,

Noting with appreciation the joint efforts made by scientists and members of other professional groups to promote the achievement of those aims through the holding of the First International Week of Scientists for Peace from 10 to 16 November 1986 and every year since then during the week in which 11 November falls,

1. *Takes note with satisfaction* of the report of the Secretary-General on the observance of the International Week of Science and Peace in 1989 and the wide variety of activities that took place in connection with this event;[2]

2. *Urges* Member States and intergovernmental and non-governmental organizations to encourage universities and other institutions of advanced study, scientific academies and institutes, and professional associations and individuals in the scientific community to hold, during that Week, lectures, seminars, special debates and other activities conducive to the study and dissemination of information on the links between progress in science and technology and the maintenance of peace and security;

3. *Urges* Member States to promote international co-operation among scientists by facilitating exchanges of experts and information;

4. *Requests* the Secretary-General to draw the attention of Member States and interested organizations to the importance of the International Week of Science and Peace and invite them to report to him on their activities and initiatives in connection with this event, and to report thereon to the General Assembly at its forty-seventh session.

65th plenary meeting
11 December 1990

45/71. Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 44/45 of 8 December 1989, in which, *inter alia*, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the report of the United Nations Scientific Committee on the Effects of Atomic Radiation,[3]

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which man is exposed,

Conscious of the continued need to examine and compile information about atomic and ionizing radiation and to analyse its effects on man and his environment,

Bearing in mind the decision of the Scientific Committee to submit, as soon as the relevant studies are completed, shorter reports with supporting scientific documents on the specialized topics mentioned by the Committee,[4]

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past thirty-five years, since its inception, to wider knowledge and understanding of the levels, effects and risks of atomic radiation and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Notes with satisfaction* the continued and growing scientific co-operation between the Scientific Committee and the United Nations Environment Programme;

3. *Requests* the Scientific Committee to continue its work, including its important co-ordinating activities, to increase knowledge of the levels, effects and risks of ionizing radiation from all sources;

4. *Endorses* the intentions and plans of the Scientific Committee for its future activities of scientific review and assessment on behalf of the General Assembly;

5. *Also requests* the Scientific Committee to continue at its next session the review of the important problems in the field of radiation and to report thereon to the General Assembly at its forty-sixth session;

6. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

7. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their co-operation in this field;

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[2] A/45/601, sect. II.

[3] A/45/319.

[4] A/38/142, para. 5.

8. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly.

65th plenary meeting
11 December 1990

45/72. International co-operation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 44/46 of 8 December 1989,

Deeply convinced of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and of the importance of international co-operation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international co-operation in developing the rule of law, including the relevant norms of space law and their important role in international co-operation for the exploration and use of outer space for peaceful purposes,

Gravely concerned at the extension of an arms race into outer space,

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international co-operation in the exploration and use of outer space for peaceful purposes,

Aware of the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to the socio-economic advancement of mankind, in particular that of the peoples of developing countries,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and application as well as in various national and co-operative space projects, which contribute to international co-operation in this field,

Taking note of the report of the Secretary-General[5] on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,[6]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-third session,[7]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space;

2. *Invites* States that have not yet become parties to the international treaties governing the uses of outer space[8] to give consideration to ratifying or acceding to those treaties;

3. *Notes* that, at its twenty-ninth session, the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, in its working groups, continued its work as mandated by the General Assembly in resolution 44/46;[9]

4. *Endorses* the recommendations of the Committee that the Legal Sub-Committee, at its thirtieth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(*a*) Continue, through its working group, the elaboration of draft principles relevant to the use of nuclear-power sources in outer space with the aim of finalizing the draft set of principles;

(*b*) Continue, through its working group, its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(*c*) Continue, through its working group, its consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries;

5. *Endorses* the recommendations of the Committee concerning the organization of work in the Legal Sub-Committee;

6. *Notes* that, at its twenty-seventh session, the Scientific and Technical Sub-Committee of the Committee on the Peaceful Uses of Outer Space continued its work as mandated by the General Assembly in its resolution 44/46;[10]

7. *Endorses* the recommendations of the Committee that the Scientific and Technical Sub-Committee, at its twenty-eighth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(*a*) Consider the following items on a priority basis:

(i) United Nations Programme on Space Applications and the co-ordination of space activities within the United Nations system;

(ii) Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space;

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[5] A/45/589.

[6] See *Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982* (A/CONF.101/10 and Corr.1 and 2).

[7] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 20* (A/45/20).

[8] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

[9] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 20* (A/45/20), sect. II.C.

[10] *Ibid.*, sect. II.B.

(iii) Matters relating to remote sensing of the Earth by satellites including, *inter alia*, applications for developing countries;

(iv) Use of nuclear-power sources in outer space;

(*b*) Consider the following items:

(i) Questions relating to space transportation systems and their implications for future activities in space;

(ii) Examination of the physical nature and technical attributes of the geostationary orbit; examination of its utilization and applications, including, *inter alia*, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries;

(iii) Matters relating to life sciences, including space medicine;

(iv) Progress in national and international space activities related to the Earth environment, in particular progress in the geosphere-biosphere (global change) programme; the Committee on Space Research and the International Astronautical Federation should be invited to present reports and arrange a special presentation on this subject;

(v) Matters relating to planetary exploration;

(vi) Matters relating to astronomy;

(vii) The theme fixed for special attention at the 1991 session of the Scientific and Technical Sub-Committee: "Applications of airborne and satellite remote sensing for prospecting mineral and ground-water resources and for monitoring and managing biological resources, with emphasis on agriculture, taking into particular account the needs of developing countries"; the Committee on Space Research and the International Astronautical Federation should be invited to arrange a symposium, with as wide a participation as possible, to be held during the first week of the Sub-Committee's session, at the end of its meetings, to complement discussions within the Sub-Committee;

8. *Considers*, in the context of paragraph 7 (*a*) (ii) above, that it is particularly urgent to implement the following recommendations:

(*a*) All countries should have the opportunity to use the techniques resulting from medical studies in space;

(*b*) Data banks at the national and regional levels should be strengthened and expanded and an international space information service should be established to function as a centre of co-ordination;

(*c*) The United Nations should support the creation of adequate training centres at the regional level, linked, whenever possible, to institutions implementing space programmes; necessary funding for the development of such centres should be made available through financial institutions;

(*d*) The United Nations should organize a fellowship programme through which selected graduates or post-graduates from developing countries should get in-depth, long-term exposure to space technology or applications; it is also desirable to encourage the availability of opportunities for such exposure on other bilateral and multilateral bases outside the United Nations system;

9. *Endorses* the recommendation of the Committee that the Scientific and Technical Sub-Committee should reconvene, at its twenty-eighth session, the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, with a view to improving the execution of activities relating to international co-operation, particularly those included within the United Nations Programme on Space Applications, and to proposing concrete steps to increase such co-operation, as well as to make it more efficient;

10. *Also endorses* the recommendations of the Working Group of the Whole of the Scientific and Technical Sub-Committee, as endorsed by the Committee and as contained in paragraphs 4, 5 and 6 of the report of the Working Group of the Whole;[11]

11. *Decides* that, during the twenty-eighth session of the Scientific and Technical Sub-Committee, the Working Group on the Use of Nuclear Power Sources in Outer Space shall be reconvened;

12. *Endorses* the United Nations Programme on Space Applications for 1991, as proposed to the Committee by the Expert on Space Applications,[12] and urges all States to make voluntary contributions to the Programme in order to enhance its effectiveness;

13. *Emphasizes* the urgency and importance of implementing fully the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space as early as possible;

14. *Reaffirms* its approval of the recommendation of the Conference regarding the establishment and strengthening of regional mechanisms of co-operation and their promotion and creation through the United Nations system;

15. *Expresses its appreciation* to all Governments that have made or expressed their intention to make contributions towards carrying out the recommendations of the Conference;

16. *Invites* all Governments to take effective action for the implementation of the recommendations of the Conference;

17. *Requests* all organs, organizations and bodies of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to co-operate in the implementation of the recommendations of the Conference;

18. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the recommendations of the Conference;

19. *Urges* Member States and international organizations to consider supporting the efforts of the United Nations in connection with International Space Year, 1992;

20. *Endorses* the recommendation of the Scientific and Technical Sub-Committee that Member States, in

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[11] A/AC.105/456, annex II.

[12] See A/AC.105/446, sects. I and III.

planning their activities for International Space Year, consider ways in which those activities could complement the efforts under way for the United Nations Conference on Environment and Development planned for 1992;

21. *Recommends* that more attention be paid to all aspects related to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

22. *Considers* that it is essential that Member States pay more attention to the problem of collisions with space debris and other aspects of space debris, and calls for the continuation of national research on this question;

23. *Also considers* that space debris could be an appropriate subject for discussion by the Committee on the Peaceful Uses of Outer Space in the future;

24. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international co-operation in the exploration and uses of outer space for peaceful purposes;

25. *Takes note* of the views expressed and documents circulated during the thirty-third session of the Committee and during the forty-fifth session of the General Assembly concerning ways and means of maintaining outer space for peaceful purposes;

26. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its forty-sixth session;

27. *Also requests* the Committee to continue to consider, at its thirty-fourth session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

28. *Requests* the specialized agencies and other international organizations to continue and, where appropriate, enhance their co-operation with the Committee and to provide it with progress reports on their work relating to the peaceful uses of outer space;

29. *Requests* the Committee to continue its work, in accordance with the present resolution, to consider, as appropriate, new projects in outer space activities and to submit a report to the General Assembly at its forty-sixth session, including its views on which subjects should be studied in the future.

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45/73. United Nations Relief and Works Agency for Palestine Refugees in the Near East

A

ASSISTANCE TO PALESTINE REFUGEES

The General Assembly,

Recalling its resolution 44/47 A of 8 December 1989 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

1. *Notes with deep regret* that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

2. *Expresses its thanks* to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. *Reiterates its request* that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable;

4. *Notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III),[14] and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1991;

5. *Directs attention* to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

6. *Notes with profound concern* that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the Agency is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

7. *Calls upon* all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

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[13] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 13* and addendum (A/45/13 and Add.1).

[14] See A/45/382, annex.

B

WORKING GROUP ON THE FINANCING OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 44/47 B of 8 December 1989 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[15] and adopted the recommendations contained therein,

Having considered the report of the Working Group,[16]

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

Deeply concerned at the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the present minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. *Commends* the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;

2. *Takes note with approval* of the report of the Working Group;

3. *Requests* the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. *Requests* the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

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C

ASSISTANCE TO PERSONS DISPLACED AS A RESULT OF THE JUNE 1967 AND SUBSEQUENT HOSTILITIES

The General Assembly,

Recalling its resolution 44/47 C of 8 December 1989 and all its previous resolutions on the question,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. *Reaffirms* its resolution 44/47 C and all its previous resolutions on the question;

2. *Endorses*, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

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D

OFFERS BY MEMBER STATES OF GRANTS AND SCHOLARSHIPS FOR HIGHER EDUCATION, INCLUDING VOCATIONAL TRAINING, FOR PALESTINE REFUGEES

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988 and 44/47 D of 8 December 1989,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General,[17]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

1. *Urges* all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. *Strongly appeals* to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. *Expresses its appreciation* to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D and 44/47 D;

4. *Invites* the relevant specialized agencies and other organizations of the United Nations system to

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[15] A/36/866 and Corr.1; see also A/37/591.

[16] A/45/645.

[17] A/45/463.

continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. *Appeals* to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. *Also appeals* to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. *Requests* the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

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E

PALESTINE REFUGEES IN THE PALESTINIAN TERRITORY OCCUPIED BY ISRAEL SINCE 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981, 37/120 E and I of 16 December 1982, 38/83 E and J of 15 December 1983, 39/99 E and J of 14 December 1984, 40/165 E and J of 16 December 1985, 41/69 E and J of 3 December 1986, 42/69 E and J of 2 December 1987, 43/57 E of 6 December 1988 and 44/47 E of 8 December 1989,

Having considered the report of the Secretary-General,[18]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948, and considering that measures to resettle Palestine refugees in the Palestinian territory occupied by Israel since 1967 away from their homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of Israel's obligation under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. *Strongly reiterates its demand* that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

2. *Requests* the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

3. *Requests* the Secretary-General, in co-operation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they are recipients of rations and services of the Agency;

4. *Also requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution and in particular on Israel's compliance with paragraph 1 above.

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F

RESUMPTION OF THE RATION DISTRIBUTION TO PALESTINE REFUGEES

The General Assembly,

Recalling its resolutions 36/146 F of 16 December 1981, 37/120 F of 16 December 1982, 38/83 F of 15 December 1983, 39/99 F of 14 December 1984, 40/165 F of 16 December 1985, 41/69 F of 3 December 1986, 42/69 F of 2 December 1987, 43/57 F of 6 December 1988, 44/47 F of 8 December 1989 and all its previous resolutions on the question, including resolution 302 (IV) of 8 December 1949,

Having considered the report of the Secretary-General,[19]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

Deeply concerned at the interruption by the Agency, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields,

1. *Regrets* that its resolutions 37/120 F, 38/83 F, 39/99 F, 40/165 F, 41/69 F, 42/69 F, 43/57 F and 44/47 F have not been implemented;

2. *Calls once again upon* all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

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[18] A/45/464.

[19] A/45/465.

3. *Requests* the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;

4. *Requests* the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

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G

RETURN OF POPULATION AND REFUGEES DISPLACED SINCE 1967

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983, 39/99 G of 14 December 1984, 40/165 G of 16 December 1985, 41/69 G of 3 December 1986, 42/69 G of 2 December 1987, 43/57 G of 6 December 1988 and 44/47 G of 8 December 1989,

Having considered the report of the Secretary-General,[20]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

1. *Reaffirms* the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right to return by any displaced person is inconsistent with that inalienable right and is inadmissible;

2. *Considers* any and all agreements embodying any restriction on, or condition for, the return of the displaced inhabitants as null and void;

3. *Strongly deplores* the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. *Calls once more upon* Israel:

(*a*) To take immediate steps for the return of all displaced inhabitants;

(*b*) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-sixth session, on Israel's compliance with paragraph 4 above.

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H

REVENUES DERIVED FROM PALESTINE REFUGEES' PROPERTIES

The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982, 38/83 H of 15 December 1983, 39/99 H of 14 December 1984, 40/165 H of 16 December 1985, 41/69 H of 3 December 1986, 42/69 H of 2 December 1987, 43/57 H of 6 December 1988, 44/47 H of 8 December 1989 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Secretary-General,[21]

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1989 to 31 August 1990,[14]

Recalling that the Universal Declaration of Human Rights[22] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

Considering that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report,[23] and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection and administration of Arab property, assets and property rights in Israel and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. *Calls once more upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

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[20] A/45/466.

[21] A/45/429.

[22] Resolution 217 A (III).

[23] *Official Records of the General Assembly, Nineteenth Session, Annex No. 11*, document A/5700.

3. *Calls upon* the Governments of all the other Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel, which would assist the Secretary-General in the implementation of the present resolution;

4. *Deplores* Israel's refusal to co-operate with the Secretary-General in the implementation of the resolutions on the question;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

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I

PROTECTION OF PALESTINE REFUGEES

The General Assembly,

Recalling, in particular, recent Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Also recalling its resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983, 39/99 I of 14 December 1984, 40/165 I of 16 December 1985, 41/69 I of 3 December 1986, 42/69 I of 2 December 1987, 43/21 of 3 November 1988, 43/57 I of 6 December 1988 and 44/47 I of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987),[24] and the report dated 31 October 1990, submitted in accordance with Council resolution 672 (1990),[25]

Having considered the report of the Secretary-General,[26]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27] and to the obligations arising from the regulations annexed to the Hague Convention IV of 1907,[28]

Deeply concerned at the marked deterioration in the security situation experienced by the Palestine refugees as stated by the Commissioner-General in his report,[13]

Deeply distressed at the suffering of the Palestinian and Lebanese population which has resulted from continuing Israeli acts of aggression against Lebanon and other hostile acts,

1. *Holds* Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[27]

2. *Calls upon* all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1 thereof;

3. *Strongly urges* the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the reports of the Secretary-General dated 21 January 1988[24] and 31 October 1990;[25]

4. *Urges* the Secretary-General, in consultation with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to continue his efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;

5. *Calls once again upon* Israel to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon;

6. *Demands* that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

7. *Calls once again upon* Israel to compensate the Agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the latter's responsibility for all damages resulting from that invasion, as well as for other damages to the Agency resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

8. *Requests* the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution.

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[24] S/19443; see *Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988*, document S/19443.

[25] S/21919 and Corr.1; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990*, document S/21919.

[26] A/45/641.

[27] United Nations, *Treaty Series*, vol. 75, No. 973.

[28] Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915), p. 100.

J

UNIVERSITY OF JERUSALEM "AL-QUDS" FOR PALESTINE REFUGEES

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988 and 44/47 J of 8 December 1989,

Having considered the report of the Secretary-General,[29]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

1. *Emphasizes* the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. *Requests* the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. *Calls once more upon* Israel, the occupying Power, to co-operate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. *Also requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution.

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K

PROTECTION OF PALESTINIAN STUDENTS AND EDUCATIONAL INSTITUTIONS AND SAFEGUARDING OF THE SECURITY OF THE FACILITIES OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST IN THE OCCUPIED PALESTINIAN TERRITORY

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

Recalling its resolutions 43/21 of 3 November 1988, 43/57 I of 6 December 1988, 44/2 of 6 October 1989 and 44/47 K of 8 December 1989,

Taking note of the report of the Secretary-General dated 21 January 1988, submitted in accordance with Security Council resolution 605 (1987),[24] and the report dated 31 October 1990, submitted in accordance with Council resolution 672 (1990),[25]

Having considered the report of the Secretary-General,[30]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1989 to 30 June 1990,[13]

Taking note, in particular, of paragraph 114 of that report, in which it is stated that during the reporting period "unauthorized entry by the Israeli authorities into Agency premises increased" and that "555 intrusions into Agency premises were recorded in the Gaza Strip and 191 in the West Bank" and furthermore "in the month of June 1990 alone, 22 incursions into health centres were registered" and that "on 12 June 1990, Israeli soldiers pursuing stone throwers threw two tear gas grenades into the Rimal health centre in Gaza Town affecting patients including 66 registered infants awaiting treatment",

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

1. *Condemns* the repeated Israeli raids on the premises and installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and calls upon Israel, the occupying Power, to refrain from such raids;

2. *Deplores* the policy and practices of Israel, the occupying Power, which have led to the prolonged closure of educational institutions, a large number of which are operated by the Agency, and the repeated disruption of medical services;

3. *Calls upon* Israel, the occupying Power, to open immediately all closed educational institutions and to refrain from closing them thereafter;

4. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

45/74. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

A

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights,[22]

Aware of the uprising (*intifadah*) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies against the Palestinian people,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27] as well as of other relevant conventions and regulations,

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[29] A/45/530.

[30] A/45/646.

Taking into account the need to consider measures for the impartial protection of the Palestinian people under Israeli occupation,

Recalling the relevant resolutions of the Security Council, in particular resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling also all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981, ES-9/1 of 5 February 1982, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983, 39/95 D of 14 December 1984, 40/161 D of 16 December 1985, 41/63 D of 3 December 1986, 42/160 D of 8 December 1987, 43/21 of 3 November 1988, 43/58 A of 6 December 1988, 44/2 of 6 October 1989 and 44/48 A of 8 December 1989,

Recalling further the relevant resolutions adopted by the Commission on Human Rights, in particular its resolutions 1983/1 of 15 February 1983,[31] 1984/1 of 20 February 1984,[32] 1985/1 A and B and 1985/2 of 19 February 1985,[33] 1986/1 A and B and 1986/2 of 20 February 1986,[34] 1987/1, 1987/2 A and B and 1987/4 of 19 February 1987,[35] 1988/1 A and B and 1988/2 of 15 February 1988 and 1988/3 of 22 February 1988,[36] 1989/1 and 1989/2 of 17 February 1989 and 1989/19 of 6 March 1989,[37] 1990/1, 1990/2 and 1990/3 of 16 February 1990 and 1990/6 of 19 February 1990,[38]

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[39] which contain, *inter alia*, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the reports of the Secretary-General of 21 January 1988,[24] 15 October 1990[40] and 31 October 1990,[25]

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Deplores* the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. *Demands* that Israel allow the Special Committee access to the occupied territories;

4. *Reaffirms* the fact that occupation itself constitutes a grave violation of the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. *Condemns* the continued and persistent violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27] and other applicable international instruments, and condemns in particular those violations which the Convention designates as "grave breaches" thereof;

6. *Declares once more* that Israel's grave breaches of that Convention are war crimes and an affront to humanity;

7. *Reaffirms*, in accordance with the Convention, that the Israeli military occupation of the Palestinian territory, including Jerusalem, and other Arab territories is of a temporary nature, thus giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories;

8. *Strongly condemns* the following Israeli policies and practices:

(*a*) Annexation of parts of the occupied Palestinian territory, including Jerusalem;

(*b*) Imposition of Israeli laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory;

(*c*) Illegal imposition and levy of taxes and dues;

(*d*) Establishment of new Israeli settlements and expansion of the existing ones on private and public Palestinian and other Arab lands, and transfer of an alien population thereto;

(*e*) Eviction, deportation, expulsion, displacement and transfer of Palestinians and other Arabs from the occupied territories and denial of their right to return;

(*f*) Confiscation and expropriation of private and public Palestinian and other Arab property in the occupied territories and all other transactions for the acquisition of land by Israeli authorities, institutions or nationals;

(*g*) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(*h*) Pillaging of archaeological and cultural property;

(*i*) Destruction and demolition of Palestinian and other Arab houses;

(*j*) Collective punishment, mass arrests, administrative detention and ill-treatment of Palestinians and other Arabs;

(*k*) Torture of Palestinians and other Arabs;

(*l*) Interference with religious freedoms and practices, as well as family rights and customs;

(*m*) Interference with the system of education and with the social and economic development and health of the Palestinians and other Arabs in the occupied territories;

(*n*) Interference with the freedom of movement of individuals within the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

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[31] See *Official Records of the Economic and Social Council, 1983, Supplement No. 3* and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

[32] *Ibid., 1984, Supplement No. 4* and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

[33] *Ibid., 1985, Supplement No. 2* (E/1985/22), chap. II, sect. A.

[34] *Ibid., 1986, Supplement No. 2* (E/1986/22), chap. II, sect. A.

[35] *Ibid., 1987, Supplement No. 5* and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

[36] *Ibid., 1988, Supplement No. 2* (E/1988/12), chap. II, sect. A.

[37] *Ibid., 1989, Supplement No. 2* (E/1989/20), chap. II, sect. A.

[38] *Ibid., 1990, Supplement No. 2* and corrigenda (E/1990/22 and Corr.1 and 2), chap. II, sect. A.

[39] A/45/84, A/45/306 and A/45/576.

[40] A/45/608.

(*o*) Illegal exploitation of the natural wealth, resources and labour of the occupied territories;

9. *Also strongly condemns*, in particular, the following Israeli policies and practices:

(*a*) Implementation of an "iron-fist" policy against the Palestinian people in the occupied Palestinian territory;

(*b*) Escalation of Israeli brutality since the beginning of the uprising (*intifadah*) on 9 December 1987;

(*c*) Ill-treatment and torture of children and minors under detention and/or imprisonment;

(*d*) Closure of headquarters and offices of trade unions and social organizations and harassment of their leaders, including through expulsion, as well as attacks on hospitals and their personnel;

(*e*) Interference with the freedom of the press, including censorship, detention or expulsion of journalists, closure and suspension of newspapers and magazines, as well as denial of access to international media;

(*f*) Killing and wounding of defenceless demonstrators;

(*g*) Breaking of bones and limbs of thousands of civilians;

(*h*) House and/or town arrests;

(*i*) Use of toxic gas, which has resulted, *inter alia*, in the killing of many Palestinians;

10. *Condemns* the Israeli repression against and closing of the educational institutions in the occupied Syrian Arab Golan, particularly prohibiting Syrian textbooks and the Syrian educational system, preventing Syrian students from pursuing their higher education in Syrian universities, denying the right of return to Syrian students receiving their higher education in the Syrian Arab Republic, forcing Hebrew on Syrian students, imposing courses that promote hatred, prejudice and religious intolerance, and dismissing teachers, all in clear violation of the Geneva Convention;

11. *Strongly condemns* the arming of Israeli settlers in the occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

12. *Requests* the Security Council to ensure Israel's respect for and compliance with all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and to initiate measures to halt Israeli policies and practices in those territories;

13. *Urges* the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, and with a view to securing international protection for the defenceless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

14. *Reaffirms* that all measures taken by Israel to change the physical character, demographic composition, institutional structure or legal status of the occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in those occupied territories constitutes a flagrant violation of the Geneva Convention[27] and of the relevant resolutions of the United Nations;

15. *Demands* that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9, 10 and 11 above;

16. *Calls upon* Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice at Jerusalem in order to continue to provide needed health and medical services to the Palestinians in the city;

17. *Also calls upon* Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967, in implementation of Security Council resolution 237 (1967) of 14 June 1967;

18. *Urges* international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

19. *Reiterates its call* upon all States, in particular those States parties to the Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations, including the specialized agencies, not to recognize any changes carried out by Israel, the occupying Power, in the occupied territories and to avoid actions, including those in the field of aid, that might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

20. *Requests* the Special Committee, pending early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

21. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;

22. *Further requests* the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

23. *Condemns* Israel's refusal to permit persons from the occupied Palestinian territory to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied Palestinian territory;

24. *Requests* the Secretary-General:

(*a*) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly and periodically the reports mentioned in paragraph 21 above to the States Members of the United Nations;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(*e*) To report to the General Assembly at its forty-sixth session on the tasks entrusted to him in the present resolution;

25. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

65th plenary meeting
11 December 1990

B

The General Assembly,

Recalling Security Council resolution 465 (1980) of 1 March 1980, in which, *inter alia*, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27] is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also Security Council resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling further its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41/63 B of 3 December 1986, 42/160 B of 8 December 1987, 43/58 B of 6 December 1988 and 44/48 B of 8 December 1989,

Taking note of the reports of the Secretary-General of 21 January 1988,[24] 15 October 1990[41] and 31 October 1990,[25]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Bearing in mind the provisions of the Geneva Convention,[27]

Noting that Israel and the concerned Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to the Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Condemns once again* the failure of Israel, the occupying Power, to acknowledge the applicability of the Convention to the territories it has occupied since 1967, including Jerusalem;

3. *Strongly demands* that Israel accept the *de jure* applicability of the Convention and comply with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Urgently calls upon* all States parties to the Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

C

The General Assembly,

Recalling Security Council resolutions 465 (1980) of 1 March 1980, 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling also its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986, 42/160 C of 8 December 1987, 43/58 C of 6 December 1988 and 44/48 C of 8 December 1989,

Expressing grave anxiety and concern at the serious situation prevailing in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, as a result of the continued Israeli occupation and the measures and actions taken by Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Taking note of the reports of the Secretary-General of 21 January 1988,[24] 15 October 1990[42] and 31 October 1990,[25]

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27] is applicable to all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. *Determines* that all such measures and actions taken by Israel in the occupied Palestinian territory, in-

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[41] A/45/609.

[42] A/45/610.

cluding Jerusalem, and other Arab territories occupied by Israel since 1967 are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, constitute a serious obstacle to the efforts to achieve a comprehensive, just and lasting peace in the Middle East and therefore have no legal validity;

2. *Strongly deplores* the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. *Demands* that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention;

4. *Demands once more* that Israel, the occupying Power, desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. *Urgently calls upon* all States parties to the Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

D

The General Assembly,

Recalling Security Council resolution 605 (1987) of 22 December 1987,

Recalling also its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988, 44/2 of 6 October 1989 and 44/48 D of 8 December 1989,

Taking note of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[39]

Taking note also of the reports of the Secretary-General of 21 January 1988,[24] 15 October 1990[43] and 31 October 1990,[25]

1. *Deplores* the arbitrary detention or imprisonment by Israel of thousands of Palestinians as a result of their resistance against occupation in order to attain self-determination;

2. *Calls upon* Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;

3. *Requests* the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

E

The General Assembly,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Taking note of the reports of the Secretary-General of 21 January 1988,[24] 15 October 1990[44] and 31 October 1990,[25]

Alarmed by the continuing deportation of Palestinians from the occupied Palestinian territory by the Israeli authorities,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27] in particular article 1 and the first paragraph of article 49, which read as follows:

> "*Article 1*
>
> "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."
>
> "*Article 49*
>
> "Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive . . .",

Reaffirming the applicability of the Geneva Convention to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

1. *Strongly deplores* the continuing disregard by Israel, the occupying Power, of the relevant resolutions and decisions of the Security Council and resolutions of the General Assembly;

2. *Demands* that the Government of Israel, the occupying Power, rescind the illegal measures taken by its authorities in deporting Palestinians and that it facilitate their immediate return;

3. *Calls upon* Israel, the occupying Power, to cease forthwith the deportation of Palestinians and to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

4. *Requests* the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

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[43] A/45/611.

[44] A/45/612.

F

The General Assembly,

Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989 and 44/48 F of 8 December 1989,

Having considered the report of the Secretary-General of 15 October 1990,[45]

Recalling its previous resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which, *inter alia*, it called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27]

Reaffirming the applicability of that Convention to the occupied Syrian Arab Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

1. *Strongly condemns* Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, *inter alia*, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. *Condemns* the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. *Strongly condemns* Israel for its attempts forcibly to impose Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan, and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan;

5. *Deplores* the violations by Israel of the Geneva Convention;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

G

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[27]

Deeply concerned at the continued and intensified harassment by Israel, the occupying Power, directed against educational institutions in the occupied Palestinian territory,

Recalling Security Council resolutions 605 (1987) of 22 December 1987, 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990,

Recalling also its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/21 of 3 November 1988, 43/58 G of 6 December 1988, 44/2 of 6 October 1989 and 44/48 G of 8 December 1989,

Taking note of the reports of the Secretary-General of 21 January 1988,[24] 15 October 1990[46] and 31 October 1990,[25]

Taking note also of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied Palestinian territory,

1. *Reaffirms* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Condemns* Israeli policies and practices against Palestinian students and faculty members in schools, universities and other educational institutions in the occupied Palestinian territory, especially the opening of fire on defenceless students, causing many casualties;

3. *Also condemns* the systematic Israeli campaign of repression against and closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, restricting and impeding the aca-

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[45] A/45/613.

[46] A/45/614.

demic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in flagrant contravention of the Geneva Convention;

4. *Demands* that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures taken against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions;

5. *Requests* the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-sixth session on the implementation of the present resolution.

65th plenary meeting
11 December 1990

45/75 Comprehensive review of the whole question of peace-keeping operations in all their aspects

The General Assembly,

Recalling its resolutions 1874 (S-IV) of 27 June 1963, 2006 (XIX) of 18 February 1965, 2053 A (XX) of 15 December 1965, 2249 (S-V) of 23 May 1967, 2308 (XXII) of 13 December 1967, 2451 (XXIII) of 19 December 1968, 2670 (XXV) of 8 December 1970, 2835 (XXVI) of 17 December 1971, 2965 (XXVII) of 13 December 1972, 3091 (XXVIII) of 7 December 1973, 3239 (XXIX) of 29 November 1974, 3457 (XXX) of 10 December 1975, 31/105 of 15 December 1976, 32/106 of 15 December 1977, 33/114 of 18 December 1978, 34/53 of 23 November 1979, 35/121 of 11 December 1980, 36/37 of 18 November 1981, 37/93 of 10 December 1982, 38/81 of 15 December 1983, 39/97 of 14 December 1984, 40/163 of 16 December 1985, 41/67 of 3 December 1986, 42/161 of 8 December 1987, 43/59 A of 6 December 1988 and 44/49 of 8 December 1989,

Welcoming the progress made by the Special Committee on Peace-keeping Operations during its session in 1990 and, in particular, the agreement reached on a number of conclusions and recommendations,

Convinced that the United Nations peace-keeping operations are an integral component of enhancing the effectiveness of the United Nations in the maintenance of international peace and security,

Taking into account that increasing activities in the field of United Nations peace-keeping require increasing human, financial and material resources for the Organization,

Aware of the extremely difficult financial situation of the United Nations peace-keeping forces and of the heavy burden on the troop contributors, especially those from developing countries,

Emphasizing that the current political atmosphere is propitious for achieving further progress in the work of the Special Committee,

Bearing in mind the fact that constructive exchanges of views on various practical aspects of peace-keeping operations can contribute favourably to the smooth and effective functioning of these operations,

Taking note of the report of the Secretary-General on the work of the Organization,[47]

Having examined the report of the Special Committee,[48]

1. *Takes note* of the report of the Special Committee on Peace-keeping Operations;

2. *Notes with appreciation* the preparation by the Secretary-General, pursuant to General Assembly resolution 44/49, of his report on requirements for United Nations peace-keeping operations[49] and of a questionnaire on that subject;

3. *Invites* Member States to complete the questionnaire as soon as possible, in order to facilitate the early preparation by the Secretary-General of a registry, indicative in nature, of potential contributions by Member States of personnel, material and technical resources and services;

4. *Looks forward* to the completion by the Secretary-General of the other studies and documents requested in resolution 44/49;

5. *Emphasizes again* the need to ensure a secure and sound financial basis for United Nations peace-keeping operations;

6. *Reiterates its call* upon all Member States to pay their assessed contributions in full and on time and encourages again those States which can do so to make voluntary contributions that are acceptable to the Secretary-General;

7. *Stresses* the importance of the need to reimburse outstanding dues of troop-contributing countries;

8. *Decides* to consider, in the competent bodies, as a matter of priority, practical means of adequately securing the financing of the start-up phases of peace-keeping operations;

9. *Encourages* the Secretary-General to continue to examine all aspects of peace-keeping operations in order to ensure that they are conducted in an efficient and cost-effective manner;

10. *Welcomes* the initiative of the Secretary-General in preparing a model agreement between the United Nations and Member States contributing personnel to peace-keeping operations, while maintaining the flexibility needed to encompass different possible circumstances;

11. *Reiterates its appeal* to host countries of any United Nations peace-keeping operations and all directly interested parties to extend all possible support in order to facilitate the deployment and functioning of such operations, and urges them to respect and safeguard the security of United Nations peace-keepers;

12. *Urges again* host countries to conclude status-of-forces agreements with the United Nations as soon as possible upon the establishment of a peace-keeping operation;

13. *Considers* that the composition of United Nations peace-keeping operations, taken as a whole, should be on a wide geographical basis, while the com-

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[47] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 1* (A/45/1).

[48] A/45/330.

[49] A/45/217.

position of each operation would be consistent with particular requirements thereof;

14. *Requests* the Secretary-General to prepare a detailed report on the successfully concluded operation of the United Nations Transition Assistance Group;

15. *Welcomes* the seminars and other exchanges of views on peace-keeping operations among Member States and interested organizations, with the participation of Secretariat officials, that have taken place and encourages the holding of regional and international seminars, in consultation with the Secretariat, as appropriate, in the future;

16. *Again encourages* Member States to establish training programmes for personnel for peace-keeping operations and looks forward to the completion by the Secretary-General, in accordance with resolution 44/49, of training manuals, which Member States might wish to use as guidelines for their training programmes;

17. *Encourages* those Member States with national or regional training programmes to give access to those programmes, as appropriate, to other interested Member States;

18. *Requests* the Secretary-General to prepare for Member States a factual report describing the responsibilities, functions and structures of the various Secretariat units dealing with peace-keeping operations, including details of overload posts;

19. *Encourages* studies on the possible application of high technology to peace-keeping operations, where it would enhance their efficiency;

20. *Considers* it useful to have further discussions, in the appropriate forums, including the Special Committee, on the possible fields for peace-keeping and on the further development of peace-keeping operations;

21. *Invites* the Secretary-General to consider appropriate ways of honouring the services of United Nations peace-keepers, bearing in mind that the United Nations peace-keeping forces were awarded the Nobel Prize for Peace in 1988;

22. *Stresses* the importance of maintaining the flow of information between the Secretariat and Member States, and encourages the Secretariat to continue its practice of providing regular informal briefings on current and potential peace-keeping operations;

23. *Encourages* States contributing personnel and other interested States to hold informal consultations, as appropriate, on operational and technical matters relating to the practical aspects of peace-keeping operations;

24. *Notes with appreciation* the contribution of the Secretariat to the work of the Special Committee, and encourages the further development of this co-operation;

25. *Encourages* the contribution to the Special Committee's work of experts and bodies having specialized expertise in peace-keeping and the conduct of peace-keeping operations;

26. *Urges* the Special Committee, in accordance with its mandate, to continue its efforts for a comprehensive review of the whole question of peace-keeping operations in all their aspects with a view to strengthening the role of the United Nations in this field, taking into account the difficult financial situation of peace-keeping operations and the need for maximum cost efficiency;

27. *Decides* that the Special Committee shall accept the participation of observers of Member States, including in the meetings of its working groups;

28. *Invites* Member States to submit any further observations and suggestions on peace-keeping operations to the Secretary-General by 1 March 1991, outlining proposals on specific items in order to allow for more detailed consideration of the Special Committee, with particular emphasis on practical proposals to make these operations more effective;

29. *Requests* the Secretary-General to prepare, within existing resources, a compilation of the abovementioned observations and suggestions and to submit it to the Special Committee by 30 March 1991;

30. *Requests* the Special Committee to consider authorizing its Bureau to prepare, in advance of the commencement of the session in 1991, a draft working document based on the submissions of Member States to the Secretary-General, containing specific items and elements for possible consideration by the Special Committee;

31. *Also requests* the Special Committee to submit a report on its work to the General Assembly at its forty-sixth session;

32. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Comprehensive review of the whole question of peace-keeping operations in all their aspects".

65th plenary meeting
11 December 1990

45/76. Questions relating to information

A

INFORMATION IN SERVICE OF HUMANITY

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,[50]

Also taking note of the report of the Secretary-General on questions relating to information,[51]

Urges that all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources of and their free access to information, recognizing the call in this context for what in the United Nations and at various international forums has been termed "a new world information and communication order, seen as an evolving and continuous process", should:

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[50] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 21* (A/45/21).

[51] A/45/533.

(*a*) Co-operate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communication infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communication policies freely and independently and increase the participation of media and individuals in the communication process, and to ensure a free flow of information at all levels;

(*b*) Ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(*c*) Provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

(*d*) Enhance regional efforts and co-operation among developing countries, as well as co-operation between developed and developing countries, to strengthen communication capacities and to improve the media infrastructure and communication technology in the developing countries, especially in the areas of training and dissemination of information;

(*e*) Aim, in addition to bilateral co-operation, at providing all possible support and assistance to the developing countries and the media, public, private or other, in the developing countries, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

- (i) The development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;
- (ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communication technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;
- (iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;

(*f*) Provide full support for the International Programme for the Development of Communication of the United Nations Educational, Scientific and Cultural Organization,[52] which should support both public and private media.

65th plenary meeting
11 December 1990

B

UNITED NATIONS PUBLIC INFORMATION POLICIES AND ACTIVITIES

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,[50]

Also taking note of the report of the Secretary-General on questions relating to information,[51]

1. *Calls upon* the Secretary-General, in respect of United Nations public information policies and activities, to implement the following recommendations, in accordance with relevant United Nations resolutions:

(*a*) The United Nations system as a whole should co-operate in a concerted manner, through its information services and the co-ordination of the Joint United Nations Information Committee, in promoting a more comprehensive and realistic image of the activities and potential of the United Nations system in all its endeavours, in accordance with the purposes and principles of the Charter of the United Nations, with particular emphasis on the creation of a climate of confidence, the strengthening of multilateralism and the promotion of the development activities in the United Nations system;

(*b*) Reaffirming the primary role of the General Assembly in elaborating, co-ordinating and harmonizing United Nations policies and activities in the field of information, the Secretary-General is requested to ensure that the activities of the Department of Public Information of the Secretariat, as the focal point of the public information tasks of the United Nations, are strengthened and improved, keeping in view the purposes and principles of the Charter, the priority areas defined by the Assembly and the recommendations of the Committee on Information, so as to ensure an objective and more coherent coverage of, as well as better knowledge about, the United Nations and its work. The Secretary-General should ensure that the Department of Public Information:

- (i) Co-operates more regularly with the United Nations Educational, Scientific and Cultural Organization, especially at the working level, with a view to maximizing the contribution of the Department to the efforts of that organization;
- (ii) Enhances its co-operation with news agencies of and in the developing countries, in particular, the News Agencies Pool of Non-Aligned Countries, the Eco-Pool of the News Agencies of Non-Aligned Countries and the Broadcasting Organization of Non-Aligned Countries, as well as with other news agencies and intergovernmental and regional organizations;
- (iii) Continues to disseminate, in co-ordination with the information services of other relevant agencies, information about United Nations activities pertaining, *inter alia*, to:
  - *a*. International peace and security;
  - *b*. Disarmament;
  - *c*. Peace-keeping operations;
  - *d*. Decolonization and the situation in the Non-Self-Governing Territories;

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[52] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session*, vol. I, *Resolutions*, sect. III.4, resolution 4/21.

e. The elimination of foreign occupation;

f. Human rights;

g. The elimination of all forms of racial discrimination;

h. The advancement of the status of women and their role in society;

i. Problems of economic and social development, as well as international economic co-operation aimed at resolving external debt problems;

j. The least developed countries;

k. The environment and development;

l. The campaign against terrorism in all its forms, bearing in mind General Assembly resolution 40/61 of 9 December 1985;

m. The international fight against drug abuse and illicit trafficking;

(iv) Does its utmost to disseminate widely and to publicize the United Nations Programme of Action for African Economic Recovery and Development 1986-1990[53] and the tremendous efforts of the African countries towards recovery and development, as well as the positive response by the international community to alleviate the serious economic situation prevailing in Africa;

(v) Enhances the effectiveness of its activities and the dissemination of information on United Nations activities against the policies and practices of *apartheid*, giving due attention to the unilateral measures and official censorship imposed on the local and international media with regard to all aspects of that issue;

(vi) Continues to disseminate information about activities of the United Nations directed at a comprehensive, just and lasting solution of international conflicts by exclusively peaceful means, as highlighted in the Secretary-General's report on the work of the Organization;

(vii) Continues to cover all United Nations activities pertaining to the situation in the Middle East and the question of Palestine in particular, and current developments in that region, and reports thereon to the Committee on Information at its thirteenth session, in 1991;

(*c*) The Department of Public Information should continue its efforts in promoting an informed understanding of the work and purposes of the United Nations system among the peoples of the world and in strengthening the image of the United Nations system as a whole and, in this connection, it is recommended that the Secretary-General should ensure that the Department:

(i) Continues to maintain consistent editorial independence and accuracy in reporting all the material that it produces, taking necessary measures to ensure that its output contains adequate, objective and equitable information about issues before the Organization, reflecting divergent opinions where they occur;

(ii) Continues to apply, in the context of the review of its role, performance and methods of work, appropriate modern technologies for the collection, production, storage, dissemination and distribution of information materials, including the use of satellite facilities;

(iii) Considers expanding the programme of telephone news bulletins that are paid for by its users;

(iv) Continues its co-operation with those countries which have expressed readiness to assist the United Nations in resuming short-wave broadcasts through their respective national networks free of charge and encourages expansion of such a type of co-operation with those developed and developing countries having recognized capabilities in this field;

(v) Takes adequate measures to resume taped radio programmes, which it has temporarily curtailed, if so requested by broadcasting stations;

(vi) Continues its briefing, assistance and orientation programme for broadcasters and journalists from developing countries focused on United Nations-related issues;

(vii) Provides, on the basis of its activities, information to the United Nations Educational, Scientific and Cultural Organization about new forms of co-operation, at the regional and subregional levels, for the training of media professionals and for the improvement of the information and communication infrastructure of developing countries;

(viii) Co-operates with educational institutions of Member States and with educators and education policy-makers, informing them about United Nations activities;

(ix) Ensures adequate daily coverage of United Nations open meetings in the two working languages of the Secretariat, reflecting the views of all delegations with accuracy and objectivity. The Department should also continue to co-operate closely with and provide assistance to members of the United Nations Correspondents Association, taking into account their needs and requirements, especially in the area of press releases, press conferences and briefings, which provide them with basic information for reporting;

(x) Uses the official languages of the United Nations adequately in its written and audiovisual materials and makes balanced use of the two working languages of the Secretariat;

(xi) Ensures timely distribution of its materials to subscribers and to United Nations information centres;

(*d*) The Department of Public Information should produce and distribute its publications in a timely manner. In particular, the Secretary-General is requested to make further efforts regarding the timely appearance of the *Yearbook of the United Nations*. The improvement in format and printing of the *UN Chronicle* is welcome. The Department is encouraged to continue to consider the interests of specific target audiences as it formulates its editorial policies;

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[53] Resolution S-13/2, annex.

(*e*) The Secretary-General is requested to expedite his consultations regarding the provision of appropriate technical and financial assistance to those States which are broadcasting or willing to broadcast to South Africa in order to enable their radio transmitters to be heard inside South Africa, as identified in his report,[54] in fulfilment of the mandate of the General Assembly reflected in paragraph 1 of that report, and to report to the Committee on Information at its thirteenth session;

(*f*) The Secretary-General is urged to continue his efforts to secure a sound and stable financial basis for the publications *Development Forum* and *Africa Recovery*;

(*g*) It is recognized that United Nations information centres constitute an important means of disseminating information about the United Nations among the peoples of the world. In this regard, the centres should intensify direct and systematic communication exchange with local media, information and educational institutions and non-governmental organizations. The Department should arrange for periodic evaluation of the activities of the centres in this regard. It should continue to co-ordinate closely with other field offices of the United Nations system, particularly those of the United Nations Development Programme, in order to avoid duplication of work, taking into account the functional autonomy that the United Nations information centres should have. The Department should provide open and unhindered access by all people to all United Nations information centres and to all materials distributed through the centres. It is also urged to pursue the process of linking the remaining United Nations information centres that have not been linked with electronic mail;

(*h*) Stressing the need for co-ordinating the information activities of the United Nations system and recognizing the important role that the Joint United Nations Information Committee plays in that regard, the Department of Public Information is encouraged to continue its active participation in the work of the Committee;

(*i*) It is recognized that free distribution of materials is necessary in the public information activities of the United Nations. However, as demands increase and whenever it is desirable and possible, the Department of Public Information should actively encourage the sale of its materials;

(*j*) In view of the importance of radio programmes in developing countries, the Secretary-General is requested to enhance the efficiency of and to ensure full programme delivery by all regional radio units, namely, the African, Asian, Caribbean, European, Latin American and Middle Eastern Units and the Anti-*Apartheid* Programmes Section, including production of radio programmes called for by the General Assembly in resolution 38/82 B of 15 December 1983;

(*k*) All reports of the Secretary-General, as well as reports by representatives of the Department of Public Information, to the Committee on Information and to the General Assembly, in particular on new programmes or on the expansion of existing programmes, should contain:

(i) Detailed information on the output of the Department on each topic included in its work programme, which forms the basis of its programme budget;

(ii) The costs of the activities undertaken on each topic;

(iii) Adequate information on target audiences, end-use of the products of the Department and analysis of feedback data received by it;

(iv) A statement detailing the priority level that the Secretary-General has attached to current or future activities of the Department in documents dealing with such activities;

(v) Evaluation by the Department of the effectiveness of its different programmes and activities, with particular reference to the need constantly to review internal programme elements and activities;

2. *Requests* the Secretary-General to implement the recommendations relating to the activities of the Department of Public Information in accordance with the budgetary procedures as approved by the General Assembly in its resolutions 41/213 of 19 December 1986, 42/211 of 21 December 1987, 43/213 of 21 December 1988 and 44/200 B of 21 December 1989, and taking into account the priorities set by the Assembly;

3. *Also requests* the Secretary-General to report to the Committee on Information at its thirteenth session, in 1991, on the activities of the Department of Public Information and on the implementation of the recommendations contained in the present resolution;

4. *Further requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

5. *Requests* the Committee on Information to report to the General Assembly at its forty-sixth session;

6. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Questions relating to information".

65th plenary meeting
11 December 1990

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[54] A/44/698, paras. 35 and 36.

V. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE[1]

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[1] For the decisions adopted on the reports of the Second Committee, see sect. X.B.4.

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45/181. International Drinking Water Supply and Sanitation Decade

The General Assembly,

Recalling its resolutions 32/158 of 19 December 1977, in which it adopted the report of the United Nations Water Conference and approved the Mar del Plata Action Plan[2] concerning drinking water supply and sanitation, and other agreements reached at the Conference, 35/18 of 10 November 1980, by which it proclaimed the period 1981-1990 as the International Drinking Water Supply and Sanitation Decade, and 40/171 of 17 December 1985 concerning the mid-term review of the Decade,

Bearing in mind that the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990, the World Summit for Children, held at United Nations Headquarters on 29 and 30 September 1990, and the Global Strategy for Shelter to the Year 2000,[3] among others, reaffirmed the goals and objectives of providing safe water and sanitation for all,

Deeply concerned that, notwithstanding the achievements attained during the Decade, the current rate of progress remains slow and would leave a very significant number of poor people in urban and rural areas without suitable and sustainable services in water and sanitation by the year 2000,

Recognizing that in most developing countries a lowering of the rate of population growth will relieve the strains on social services and infrastructures, including services relating to drinking water supply and sanitation,

Recognizing also that the 1990s will require an intensification of national efforts and international co-operation to provide adequate and safe drinking water and sanitation, which are crucial for health, for all by the end of the century,

1. *Takes note with appreciation* of the report of the Secretary-General on the achievements of the International Drinking Water Supply and Sanitation Decade;[4]

2. *Welcomes* the New Delhi Statement,[5] adopted at the Global Consultation on Safe Water and Sanitation for the 1990s, which was held in New Delhi from 10 to 14 September 1990, hosted by the Government of India and organized by the United Nations Development Programme;

3. *Endorses* the four guiding principles, the actions recommended and the proposed follow-up, as enunciated in the New Delhi Statement, pertaining to the need to protect environment and health, the need for institutional reforms, including the full participation of women, the need to promote community management

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[2] *Report of the United Nations Water Conference, Mar del Plata, 14-25 March 1977* (United Nations publication, Sales No. E.77.II.A.12), chap. I.

[3] *Official Records of the General Assembly, Forty-third Session, Supplement No. 8*, addendum (A/43/8/Add.1).

[4] A/45/327.

[5] A/C.2/45/3, annex.

and the need to adopt sound financial practices and appropriate technologies;

4. *Urges* Governments, in their efforts to implement the recommendations contained in the report of the Secretary-General and in the New Delhi Statement, to stress the following important objectives:

(*a*) To assign greater priority to the allocation of development financing to water supply and sanitation by seeking a better integration of the sector within the overall development planning process and to allocate a greater proportion of resources to low-income urban and rural areas, while addressing the deteriorating economic, social and environmental conditions in those areas;

(*b*) To implement programmes aimed at expanding service coverage within the framework of integrated water resources and environmental planning and management, in the context of sustainable national social and economic plans and urban and rural development policies, and to orient them towards services that reflect community needs and are used by beneficiaries;

(*c*) To ensure appropriate utilization of existing financial resources and mobilize additional funds from Governments, donors and non-governmental organizations, and to draw on the resources of the local communities;

(*d*) To assess and undertake institutional reforms to promote an integrated approach, including changes in procedure, attitude and behaviour, and the full participation of women at all levels in sector institutions;

(*e*) To assess the current status of institutions with a view to strengthening national capacities to plan and manage water supply and environmental sanitation programmes and to enable them to improve operational and financial efficiency;

(*f*) To increase their efforts to improve the efficiency and use of available financial resources by, *inter alia*, continuing to expand the use of cost-effective appropriate technologies, and to intensify South-South co-operation in that regard;

5. *Calls upon* the United Nations system and other relevant organizations to increase their financial and technical support to the national endeavours of developing countries in that regard;

6. *Urges* donor Governments, multilateral financial and development institutions and non-governmental organizations to give favourable consideration to requests for grants and concessional financing arrangements to support water supply and sanitation programmes in developing countries;

7. *Emphasizes* the importance of intensifying the co-ordination of national activities undertaken with the assistance of all relevant agencies in the field of water supply and sanitation through, in particular, the inter-agency Steering Committee for Co-operative Action for the International Drinking Water Supply and Sanitation Decade and the Water Supply and Sanitation Collaborative Council;

8. *Decides* to review, at its fiftieth session, the progress made during the first half of the 1990s, and requests the Secretary-General to submit a report, through the Economic and Social Council, on further progress made in attaining the ultimate goal of providing a safe water supply and sanitation for all, including proposals for the action needed for the remainder of the Decade, with special emphasis on the efforts made at the national level and on international co-operation.

71st plenary meeting
21 December 1990

45/182. Special high-level meeting of the Economic and Social Council with ministerial participation

The General Assembly,

Recalling its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Taking into account Economic and Social Council decision 1990/205 of 9 February 1990 on the implementation of Council resolutions 1988/77 of 29 July 1988 and 1989/114 of 28 July 1989, in particular paragraph 1 (*b*) thereof regarding the convening of a special meeting of the Council on 4 and 5 July 1991 to discuss the impact of the recent evolution of East-West relations on the growth of the world economy, in particular on the economic growth and development of the developing countries, as well as on international economic co-operation,

Taking into account also Economic and Social Council resolution 1990/68 of 27 July 1990 on the special high-level meeting of the Council in 1991,

Fully convinced of the need to hold that meeting at a high level,

Fully convinced also of the need to ensure adequate preparations for the special high-level meeting, which is the first of its kind and an important concrete step in the process of the revitalization of the Council,

1. *Takes note* of Economic and Social Council resolution 1990/68 and decision 1990/205;

2. *Invites* all Member States and observer States that are in a position to do so to be represented at the ministerial level;

3. *Invites* the Secretary-General, in consultation with the President of the Economic and Social Council, to take all the necessary measures to ensure the adequate preparation of the special high-level meeting of the Council in 1991;

4. *Calls upon* all appropriate organs, organizations, bodies and programmes of the United Nations system to contribute to the success of the special high-level meeting of the Council in 1991;

5. *Decides* to discuss at its forty-sixth session, in the context of the examination of the report of the Economic and Social Council, the outcome of the special high-level meeting.

71st plenary meeting
21 December 1990

45/183. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 44/235 of 22 December 1989, *Taking into account* the *intifadah* of the Palestinian people in the occupied Palestinian territory against the Israeli occupation, including Israeli economic and social policies and practices,

Rejecting Israeli restrictions on external economic and social assistance to the Palestinian people in the occupied Palestinian territory,

Aware of the increasing need to provide economic and social assistance to the Palestinian people,

Affirming that the Palestinian people cannot develop their national economy as long as the Israeli occupation persists,

1. *Takes note* of the report of the Secretary-General on assistance to the Palestinian people;[6]

2. *Expresses its appreciation* to the States, United Nations bodies and intergovernmental and non-governmental organizations that have provided assistance to the Palestinian people;

3. *Requests* the World Food Programme to provide food assistance to the Palestinian people in the occupied Palestinian territory;

4. *Requests* the international community, the organizations of the United Nations system and intergovernmental and non-governmental organizations to sustain and increase their assistance to the Palestinian people, in close co-operation with the Palestine Liberation Organization;

5. *Calls* for treatment on a transit basis of Palestinian exports and imports passing through neighbouring ports and points of exit and entry;

6. *Also calls* for the granting of trade concessions and concrete preferential measures for Palestinian exports on the basis of Palestinian certificates of origin;

7. *Further calls* for the immediate lifting of Israeli restrictions and obstacles hindering the implementation of assistance projects by the United Nations Development Programme, other United Nations bodies and others providing economic and social assistance to the Palestinian people in the occupied Palestinian territory;

8. *Reiterates its call* for the implementation of development projects in the occupied Palestinian territory, including the projects mentioned in its resolution 39/223 of 18 December 1984;

9. *Calls* for facilitation of the establishment of Palestinian development banks in the occupied Palestinian territory, with a view to promoting investment, production, employment and income therein;

10. *Requests* the Secretary-General to report in full to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/184. Co-operation in fisheries in Africa

The General Assembly,

Recalling its resolution 39/225 of 18 December 1984, by which it endorsed the Strategy for Fisheries Management and Development and the associated programmes of action adopted by the World Conference on Fisheries Management and Development,[7]

Recalling also its resolution 44/225 of 22 December 1989, entitled "Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas",

Recognizing the significant contribution that fisheries can make to economic growth and development of the developing countries through food self-sufficiency, the improvement of nutrition and the diversification of exports,

Bearing in mind the significant capabilities that exist in developing countries in the field of fisheries, which provide opportunities for co-operation among those countries, and the importance of fostering the development of those capabilities to help developing countries realize their full potential in this regard,

Considering the need for African countries to develop inter-State co-operation in order to promote the development of the fishery sector,

1. *Endorses* Economic and Social Council resolution 1990/77 of 27 July 1990, entitled "Co-operation in fisheries in Africa", as adopted;

2. *Takes note* of the Ministerial Conference on Co-operation in Fisheries Among the African States Bordering the Atlantic Ocean, held at Rabat from 30 March to 1 April 1989, and of the meeting of the follow-up committee, held also at Rabat, from 29 to 31 May 1990;

3. *Requests* Member States to make full use of advanced marine training centres in Africa, to promote the exchange of information and the joint negotiation of fisheries agreements concerning the high-seas fleets of non-African countries, to accord greater importance to the development of small-scale fishing, to improve the living conditions of African fishermen, to acknowledge the role of women in fisheries, to strengthen fish marketing and preservation facilities and to facilitate the access of African fishery products to the markets of developed countries;

4. *Requests* the relevant international organizations to contribute actively to the promotion of co-operation in fisheries in Africa, including participation in the preparations and work for the forthcoming ministerial conference on co-operation in fisheries among the African States bordering the Atlantic Ocean, which is scheduled to take place in 1991;

5. *Requests* the Secretary-General to submit, in close consultation with the Food and Agriculture Organization of the United Nations, to the General Assembly at its forty-seventh session, through the Economic and Social Council at its second regular session of 1992, a report on co-operation in fisheries in Africa, including recommendations for its enhancement;

6. *Also requests* the Secretary-General to include in his report ways and means to develop the potential capabilities of developing countries in fisheries, including

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[6] A/45/503.

[7] See Food and Agriculture Organization of the United Nations, *Report of the FAO World Conference on Fisheries Management and Development, Rome, 27 June-6 July 1984* (Rome, 1984), pp. 12-30 and 36-52; transmitted to the members of the General Assembly by a note by the Secretariat (A/C.2/39/6).

economic and technical co-operation, particularly among developing countries;

7. *Calls upon* the international community, in particular the developed countries, to support the endeavours of developing countries to develop their fisheries infrastructures;

8. *Decides* to consider the issue of co-operation in fisheries in Africa at its forty-seventh session under the item entitled "Development and international economic co-operation".

71st plenary meeting
21 December 1990

45/185. International Decade for Natural Disaster Reduction

The General Assembly,

Recalling its resolutions 42/169 of 11 December 1987 and 43/202 of 20 December 1988 on natural disaster reduction and 44/236 of 22 December 1989, in which it proclaimed the International Decade for Natural Disaster Reduction,

Reaffirming the need for the international community to demonstrate the strong political determination required to mobilize and use existing scientific and technical knowledge to mitigate natural disasters, bearing in mind in particular the needs of developing countries,

Noting with satisfaction that more than seventy Governments have informed the Secretary-General that they have established national committees or focal points for the purpose of attaining the objective and goals of the Decade,

Reconfirming the important responsibility of the United Nations system as a whole for promoting international co-operation in order to mitigate natural disasters, provide assistance and co-ordinate disaster relief, preparedness and prevention,

Noting the establishment of the Trust Fund for the International Decade for Natural Disaster Reduction, expressing appreciation to those countries that have so far contributed or pledged voluntary contributions to the Fund and, at the same time, expressing concern that the resources available to the United Nations for the activities of the Decade are insufficient in relation to the requirements,

Taking note of the progress report of the Secretary-General on the Decade,[8]

Noting that the celebration in the United Nations of the International Day for Natural Disaster Reduction was not possible in 1990, and stressing the importance of observance by the United Nations of the Day in future years in a manner befitting the objective and goals of the Decade,

Taking note of the relevant conclusions of the twenty-fifth series of Joint Meetings of the Committee for Programme and Co-ordination and the Administrative Committee on Co-ordination, held on 25 and 26 October 1990,[9]

1. *Urges* the international community to implement fully the International Framework of Action for the International Decade for Natural Disaster Reduction, contained in the annex to resolution 44/236 and, in particular:

(*a*) Invites Member States that have not yet done so to establish national committees or suitable focal points;

(*b*) Requests the Secretary-General to expedite his efforts to complete organizational and financial arrangements in accordance with sections D and E of the International Framework of Action;

(*c*) Appeals to the international community, in particular, to donor countries, for financial contributions to the Trust Fund for the Decade;

(*d*) Urges all countries to adopt policies which give priority to disaster mitigation measures;

2. *Notes with deep concern* that organizational arrangements have not been fully established and implemented in accordance with section D of the International Framework of Action;

3. *Reaffirms* the important role played by the Director-General for Development and International Economic Co-operation as the focal point for overview and co-ordination of the programmes and activities of the United Nations system for the Decade, in accordance with section C of the International Framework of Action, and with his mandate, as set out in its resolution 32/197 of 20 December 1977, and invites the Director-General to give momentum to those programmes and activities;

4. *Reaffirms also* the need for the secretariat of the Decade to work in close association and co-operation with the Office of the United Nations Disaster Relief Co-ordinator, bearing in mind the specific responsibilities and functions in the field of disaster prevention and preparedness entrusted to that Office by General Assembly resolution 2816 (XXVI) of 14 December 1971;

5. *Stresses* the need for the secretariat of the Decade to work closely with the Office of the United Nations Disaster Relief Co-ordinator, while providing substantive and secretariat support to the Special High-Level Council, the Scientific and Technical Committee and to related activities, and to report to the Director-General for Development and International Economic Co-operation through the United Nations Disaster Relief Co-ordinator;

6. *Requests* the Secretary-General to assist, in co-operation with relevant organizations of the United Nations system, in the formulation and implementation, during the Decade, of public information programmes aimed at raising awareness of disaster prevention among the general public;

7. *Also requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the progress in the implementation of the programmes and activities of the Decade, including the identification of constraints in that regard, with appropriate attention to the status of existing international protocols and con-

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[8] A/45/621.

[9] See E/1990/123.

ventions for mutual assistance in cases of disaster, in accordance with paragraph 4 of resolution 44/236.

71st plenary meeting
21 December 1990

45/186. Code of conduct on transnational corporations

The General Assembly,

Recognizing the desirability of reaching an early agreement on the formulation of a code of conduct on transnational corporations, and reaffirming the interest of Member States in resolving the remaining outstanding issues,

Confirming that there is substantial provisional understanding on the contents of the draft code of conduct as presented to the President of the Economic and Social Council by the Chairman of the Commission on Transnational Corporations at its reconvened special session,[10]

Decides to request the President of the General Assembly, with the support of the Secretary-General, to arrange for intensive consultations aimed at achieving an early agreement on a code of conduct on transnational corporations, for presentation to and adoption by the General Assembly at its forty-sixth session.

71st plenary meeting
21 December 1990

45/187. Prevention and control of acquired immunodeficiency syndrome (AIDS)

The General Assembly,

Recalling its resolution 44/233 of 22 December 1989, and taking note of Economic and Social Council resolution 1990/86 of 27 July 1990 and World Health Assembly resolution WHA 43.10 of 16 May 1990 on women, children and AIDS,[11] as well as other relevant resolutions adopted by the organizations of the United Nations system,

Taking note of the Paris Declaration on Women, Children and the Acquired Immunodeficiency Syndrome (AIDS), adopted on 30 November 1989, the discussions of the Sixth International Conference on AIDS, held at San Francisco, United States of America, from 20 to 24 June 1990, the Fifth International Conference on AIDS and Associated Cancer, held at Kinshasa from 10 to 12 October 1990, and the World Declaration on the Survival, Protection and Development of Children, adopted by the World Summit for Children on 30 September 1990,[12]

Noting with appreciation the established leadership and co-ordinating role of the World Health Organization, and the efforts of other organizations of the United Nations system, Governments, intergovernmental and non-governmental organizations and the public and private sectors, in combating the spread of AIDS,

Stressing the need to take full advantage of the World Health Organization/United Nations Development Programme Alliance to Combat AIDS and to strengthen its role in facilitating implementation at the country level of the global strategy for the prevention and control of AIDS,

Acknowledging that AIDS can have severe social and economic consequences, particularly in countries with a high incidence of infection from the human immunodeficiency virus (HIV), overburdened public health services and limited financial, developmental and skilled labour resources,

Concerned that AIDS has become a major cause of death for women aged 20 to 40 in major cities in the Americas, Western Europe and sub-Saharan Africa, that over 3 million women of child-bearing age have been infected with HIV, that the World Health Organization estimates that during the 1990s a cumulative figure of over 25 to 30 million people are expected to be infected with AIDS, that over 10 million infants and children will become infected with HIV, the vast majority of whom will have died by the year 2000, and that 10 million uninfected children under the age of 10 years will be orphaned during the 1990s as a consequence of AIDS,

Emphasizing the crucial role that other sexually transmitted diseases can play in facilitating the transmission of HIV infection,

Considering that the behaviour and life-style practices that place individuals at risk of HIV infection are likely to be established in adolescence or young adulthood and that the relatively slow progression from HIV infection to AIDS suggests that many HIV-infected individuals over 25 years of age acquired the infection in adolescence or young adulthood,

Stressing, therefore, the importance of information, education and other support targeted to young people to encourage behavioural change and to enable them to remain uninfected,

Emphasizing the crucial importance of a supportive socio-economic environment in ensuring the effective implementation of national AIDS prevention programmes and the humane care of affected persons,

Reiterating the need to respect the human rights and dignity of all people, including those affected by HIV, their families and those with whom they live,

Noting that scientific research is making progress in the development of improved diagnostic, therapeutic and preventive technologies and pharmaceuticals, and stressing the importance of making these technologies and pharmaceuticals available as soon as possible and at an affordable cost,

1. *Takes note with appreciation* of the report of the Director-General of the World Health Organization on the global strategy for the prevention and control of AIDS;[13]

2. *Requests* the Secretary-General, in view of the serious implications of the AIDS pandemic for development in general in many developing countries, to intensify his efforts, in collaboration with the Director-General of the World Health Organization, the Administrator of the United Nations Development

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[10] E/1990/94, annex.

[11] See World Health Organization, *Forty-third World Health Assembly, Geneva, 7-17 May 1990, Resolutions and Decisions, Annexes* (WHA 43/1990/REC/1).

[12] A/45/625, annex.

[13] A/45/256-E/1990/58, annex.

Programme, the heads of the World Bank, the United Nations Population Fund, the United Nations Children's Fund and all other relevant organizations of the United Nations system, to mobilize the cumulative experience of the United Nations system in the strategic planning of multi-sectoral projects and the raising of funds in support of those countries requesting assistance;

3. *Urges* Member States to increase their efforts to combat AIDS and to encourage national and international efforts to prevent the further spread of AIDS;

4. *Calls upon* governmental, intergovernmental and non-governmental organizations and the public and private sectors to continue to pay particular attention to the needs of women, young people and children and to co-ordinate their efforts with those of the World Health Organization for the implementation of the global strategy for the prevention and control of AIDS;

5. *Requests* the Secretary-General to invite the Director-General of the World Health Organization, in close collaboration with the other organizations of the United Nations system and without prejudice to ongoing priorities and programmes, to continue to advance the global strategy for the prevention and control of AIDS and, specifically:

(*a*) To emphasize the need to strengthen the primary health care system together with educational, psychological, social and economic support programmes for women, youth and children;

(*b*) To promote the vital role that women and young people can play in national AIDS programmes for the further prevention and control of the disease;

(*c*) To encourage the development of services that can meet the particular needs of young people and women for counselling on relationships and on means to reduce the risk of AIDS, sexually transmitted diseases and risks associated with intravenous drug use;

(*d*) To support the efforts of countries to create or enhance programmes that promote the prevention and treatment of sexually transmitted diseases;

(*e*) To encourage countries to develop plans to meet the economic and social needs of uninfected children with HIV-infected parents or orphaned by AIDS and of elderly people left without providers and often responsible for orphaned grandchildren;

(*f*) To mobilize the necessary resources, both human and financial, in the health sector and other sectors, to develop and implement activities and technologies for the prevention of HIV infection/AIDS and for the care of those suffering from the disease;

(*g*) To ensure that the particular experience of women and children is used in the search for preventive, curative and palliative therapies so that their special needs can be better met;

6. *Also requests* the Secretary-General to intensify, through the information capacity of the United Nations system, public information activities with respect to HIV and AIDS;

7. *Further requests* the Secretary-General to invite the Director-General of the World Health Organization to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/188. Entrepreneurship

The General Assembly,

Recalling its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, bearing in mind the International Development Strategy for the Fourth United Nations Development Decade[14] and taking note of the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,[15]

Recalling also its resolution 41/182 of 8 December 1986 and Economic and Social Council resolution 1988/74 of 29 July 1988, and taking note of the report of the Secretary-General on national entrepreneurs in economic development,[16]

Recognizing that there is no universal prescription for successful development, that each country is responsible for its own economic policies in accordance with its specific situation and conditions and that the promotion of growth and development depends on appropriate domestic economic policies that take into account specific national circumstances and requirements,

Acknowledging the importance of effective, efficient and accountable governance in all countries for setting and implementing national goals in the economic and social spheres,

Acknowledging also the need for an effective and efficient public sector in, *inter alia*, establishing or improving conditions favourable to private initiative, including sound infrastructure, appropriate policies for the development of human resources, including the expertise and capabilities of the business community, basic health care and the protection of vulnerable groups within society, where appropriate, with the support of the international community,

Recognizing the responsibility of the international community, in particular the developed countries, to promote and endeavour to provide an equitable and open international economic environment supportive of the development of developing countries,

Reaffirming that flexibility, creativity, innovation, political and economic openness, respect for human rights and market-oriented approaches, *inter alia*, provide opportunities to people to enable them to develop their potential in responding to change,

Acknowledging the important role of entrepreneurship, notably in small and medium-sized enterprises, in mobilizing resources and in promoting economic growth and socio-economic development,

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[14] Resolution 45/199, annex.

[15] See A/CONF.147/Misc.9.

[16] A/45/292-E/1990/82.

Calling for international support for specific programmes for private enterprise development in the least developed countries, which should address, *inter alia,* the promotion of domestic and foreign direct investment, management training, promotion of small-scale ventures and micro-enterprises and the development of entrepreneurial skills, in accordance with relevant provisions of the Programme of Action for the Least Developed Countries for the 1990s,

Cognizant of the importance of entrepreneurship in the growth and development of countries—especially those seeking to develop or revitalize their economies through free enterprise, decentralized decision-making, deregulation, demonopolization of economic activities, simplification of administrative procedures, market opportunities, structural adjustment and market-oriented reform—and of the need to provide the incentives, access to information and new technology and environment necessary to enable the spirit of entrepreneurship and competition to prosper,

Noting that higher domestic savings and inflows of capital, including new investment and the return of flight capital, depend, *inter alia,* upon sound micro- and macro-economic policies supportive of entrepreneurship,

Recognizing that public enterprises, in appropriate conditions, can help promote and can engage in the development of entrepreneurship,

Welcoming the contribution which the United Nations system makes in helping Member States promote entrepreneurship, including foreign direct investment, and encouraging the active participation of private enterprise, where appropriate,

1. *Encourages* the development of entrepreneurship in all countries, including those seeking to develop or revitalize their economies through free enterprise and market opportunities, and urges the international community, in particular the international financial institutions and the United Nations system, to support their efforts, as appropriate;

2. *Agrees* that entrepreneurship, especially in the context of a fair, competitive economy, supportive government policies and an equitable and open international economic environment, contributes to a more efficient world economy and enhances the internationalization of trading markets and financial flows to the benefit of all;

3. *Encourages* Member States, in accordance with their national policy objectives, to enhance their institutional, legal and regulatory frameworks to ensure greater consistency with market approaches, to make their capital and credit markets more efficient, to foster the expertise and capabilities of the business community and to provide, *inter alia,* for sound private sector development and its positive benefits for employment opportunities and national wealth;

4. *Calls upon* Member States to facilitate, consistent with their national laws, the development of co-operation between domestic and foreign enterprises, particularly through contracting, business co-operation and joint ventures, which, *inter alia,* will facilitate market access and the transfer of technology;

5. *Looks forward* to the outcome of further deliberations of the Development Committee of the World Bank and the International Monetary Fund, the Interim Committee of the International Monetary Fund and the regional development banks on the issue of strengthening measures across the entire range of operations of the World Bank Group to promote entrepreneurship, including the mobilization of domestic and foreign private capital;

6. *Requests* the Secretary-General to incorporate in subsequent issues of the *World Economic Survey* a chapter regarding the role of entrepreneurship as a key element of growth and development and on measures being taken at the national and international levels to promote entrepreneurship, especially in countries seeking to develop or revitalize their economies through free enterprise, decentralized decision-making, market opportunities, structural adjustment and market-oriented reform, as well as suggestions on how the international economic community can support the development of entrepreneurship in national economies;

7. *Requests* the Director-General for Development and International Economic Co-operation to include in his annual report on operational activities for development, submitted to the General Assembly through the Economic and Social Council, a section on the activities being undertaken by the United Nations system to promote entrepreneurship in economic development, notably in small and medium-sized enterprises, as well as proposals for enhancing the role of entrepreneurship in the development process, in particular in developing countries;

8. *Decides* to include in the provisional agenda of its forty-sixth session a sub-item entitled "Entrepreneurship" under the agenda item entitled "Development and international economic co-operation" and to include the sub-item in subsequent agendas on a biennial basis.

71st plenary meeting
21 December 1990

45/189. World Decade for Cultural Development

The General Assembly,

Recalling its resolution 41/187 of 8 December 1986, in which it proclaimed the period 1988-1997 the World Decade for Cultural Development,

Taking into account its resolution 44/238 of 22 December 1989, in which it expressed its support for the conduct of an evaluation at the mid-point of the World Decade for Cultural Development, in 1993, under the auspices of the United Nations and the United Nations Educational, Scientific and Cultural Organization, in order to evaluate the implementation of the Plan of Action for the Decade,

Taking into account paragraph 87 of the International Development Strategy for the Fourth United Nations Development Decade,[14] in which it was stated, *inter alia,* that each country has to choose its approach to human resource and institutional development in accordance with its national priorities, values, traditions and culture and stage of development,

Taking note of Economic and Social Council resolution 1990/88 of 27 July 1990, *Welcoming* the progress made by Member States, organizations and programmes of the United Nations system and international non-governmental organizations in the implementation of the Plan of Action for the World Decade for Cultural Development,[17]

1. *Takes note with appreciation* of the report of the Secretary-General on the mid-term review of the World Decade for Cultural Development;[18]

2. *Reaffirms its support* for a mid-term review to assess the progress made in implementing the Plan of Action for the Decade and to make proposals to further strengthen activities in this area, taking into account the changing circumstances and the new realities in the international community;

3. *Invites* the regional commissions, in consultation with Governments and intergovernmental and non-governmental organizations, to carry out, within existing resources, an evaluation of the cultural factors influencing the development of the cultural sector as a potential creator of jobs and generator of income, for consideration in the context of the mid-term review of the Decade, in 1993;

4. *Recommends* that the organs, organizations and bodies of the United Nations system consider including activities relating to the Decade in the programme for the biennium 1992-1993, and requests them to co-ordinate those activities;

5. *Invites* the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization to include specific proposals on the modalities of a mid-term review, taking into account the views of Governments, in the second biennial report on progress in the implementation of the World Decade for Cultural Development, to be submitted to the General Assembly at its forty-sixth session, through the Economic and Social Council;

6. *Decides* to include, on a biennial basis in its provisional agenda for subsequent sessions, a sub-item entitled "World Decade for Cultural Development" under the item entitled "Development and international economic co-operation".

71st plenary meeting
21 December 1990

45/190. International co-operation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant

The General Assembly,

Expressing profound concern about the ongoing effects on people's lives and health of the disaster at Chernobyl, which had serious national and international consequences of unprecedented scale,

Especially concerned about the state of health of the children who suffered and continue to suffer from the effects of increased radiation and who may suffer from possible long-term effects of radiation,

Taking into account the provisions of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[12] which, *inter alia,* refer to the need for concrete measures to be taken at the national and international levels for children in especially difficult circumstances, including victims of man-made disasters who have been exposed to radiation,

Taking into account also the need to continue taking comprehensive measures to study, address and mitigate the consequences of the accident, especially measures to protect against radiation and to safeguard the health of the population, including, as appropriate, resettling the population in uncontaminated areas, improving the environment in the contaminated areas and preventing further possible transboundary radioactive effects,

Increasingly aware of the need to improve the co-ordination of ongoing international efforts to study and minimize the radiological and other consequences of the disaster at Chernobyl,

Stressing the importance of public education and communication in addressing the concerns of the population of the contaminated areas regarding the effects of man-made radiation, including its long-term effects,

Recalling its resolution 44/224 of 22 December 1989, in which, *inter alia,* it recognized the need to strengthen international co-operation in rendering assistance in cases of environmental emergency,

Taking note with satisfaction of Economic and Social Council resolution 1990/50 of 13 July 1990 on international co-operation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant,

Taking into account the efforts made by the United Nations and organizations of the United Nations system to study, mitigate and minimize the radiological, socio-economic and other consequences of the disaster at Chernobyl,

Welcoming the growing international solidarity with the victims of Chernobyl, especially the children, as well as the willingness on the part of Member States and intergovernmental and non-governmental organizations, the business community, scientific bodies and individuals to increase medical, food and other humanitarian assistance for the rehabilitation of the affected population,

Recognizing the particular importance of completing the international independent assessment of the radiological consequences of the accident at the Chernobyl nuclear power plant, co-ordinated by the International Atomic Energy Agency,

1. *Takes note with appreciation* of the report of the Secretary-General[19] and invites him, in the light of the findings contained in that report and other relevant reports and in consultation with the agencies concerned, to continue to take appropriate measures to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant, in particular to support efforts made within the United Nations system by the Administrative Committee on Co-ordination and the Inter-Agency Committee for the Response to Nuclear

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[17] E/1986/L.30, annex.

[18] A/45/277-E/1990/77 and Add.1.

[19] A/45/643.

Accidents to harmonize, strengthen and co-ordinate international projects aimed at mitigating the consequences of the disaster at Chernobyl, and to consider, *inter alia,* opportunities to:

(*a*) Formulate a programme for co-ordinating the activities to be carried out by the organs, organizations and programmes of the United Nations system involved in efforts to address and mitigate the consequences of the disaster at Chernobyl;

(*b*) Entrust one of the Under-Secretaries-General with the task of co-ordination;

(*c*) Set up a task force responsible for stimulating and monitoring the activities of the United Nations system in this field;

(*d*) Appeal for voluntary contributions to complement the regular budgetary resources used by United Nations organs and agencies for the implementation of activities aimed at mitigating the consequences of the disaster at Chernobyl;

2. *Requests* the organs, specialized agencies and programmes of the United Nations system, in considering possible technical and other special assistance for the areas most affected, particularly in the Byelorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic and the Russian Soviet Federative Socialist Republic, to bear in mind the unprecedented nature of the radiological and environmental disaster and of the emergency situation in those areas resulting from the long-term effects of man-made radiation on present and future generations;

3. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session, through the Economic and Social Council, a report on the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its forty-sixth session an item entitled "International co-operation to study, mitigate and minimize the consequences of the disaster at Chernobyl";

5. *Makes an urgent appeal* to all States members of the international community, intergovernmental and non-governmental organizations, the business community, scientific bodies and individuals to continue to provide all appropriate support and assistance to the areas most affected by the accident at the Chernobyl nuclear power plant, in full co-ordination and co-operation with envisaged or planned efforts of the United Nations system.

71st plenary meeting
21 December 1990

45/191. Developing human resources for development

The General Assembly,

Reaffirming that the human being is at the centre of all development activities,

Considering that human resources are an essential means of achieving economic and social development goals,

Recalling its resolution 44/213 of 22 December 1989 on developing human resources for development and other earlier resolutions on the same subject, as well as Economic and Social Council resolution 1989/120 of 28 July 1989 on the development of human resources,

Referring to its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries and the International Development Strategy for the Fourth United Nations Development Decade,[14] in particular the relevant sections thereof on human resources development,

Reaffirming the contribution to the elaboration of the concept of human resources development made by the Jakarta Plan of Action on Human Resources Development in the Region of the Economic and Social Commission for Asia and the Pacific,[20] the Khartoum Declaration: Towards a Human-focused Approach to Socio-economic Recovery and Development in Africa,[21] the African Alternative Framework to Structural Adjustment Programmes for Socio-economic Recovery and Transformation[22] and the communiqué of the tenth Meeting of the Conference of Heads of Government of the Caribbean Community, held at Grand Anse, Grenada, from 3 to 7 July 1989,[23]

Welcoming the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[12] as well as the African Charter for Popular Participation in Development and Transformation, adopted at the twenty-fifth session of the Economic Commission for Africa and sixteenth meeting of the Conference of Ministers responsible for Economic Planning and Development,[24] the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,[15] and the World Declaration on Education for All and the Framework for Action to Meet Basic Learning Needs, adopted by the World Conference on Education for All,[25]

Taking note of the report of the Joint Inspection Unit on human resources development through technical co-operation,[26]

Recognizing that the concept of human resources development, while specifically referring only to the human resource component of development programming, is intimately linked in a broad sense with many other elements and requires integrated and concerted strategies, policies, plans and programmes to ensure the development of the full potential of human beings,

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[20] *Official Records of the Economic and Social Council, 1988, Supplement No. 11* (E/1988/35), chap. IV, resolution 274 (XLIV), annex.

[21] A/43/430, annex I.

[22] A/44/315, annex.

[23] A/44/477, annex.

[24] A/45/427, annex, appendix II.

[25] *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990,* Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendices 1 and 2.

[26] A/45/113.

Recognizing also that human resources development should contribute to total human development, which enlarges the choices available to people in developing their lives and in fulfilling their aspirations,

Reaffirming that strategies and policies for human resources development of each country should be in accordance with its national priorities, values, traditions, culture and stage of development,

Emphasizing that education, in particular basic education, which facilitates the acquisition and upgrading of skills, and continued demand-oriented technical training are inextricably linked to economic growth and sustained development of developing countries,

Recognizing the importance of improved educational opportunities for women and their greater integration into the development process,

Recognizing also that education and training programmes, including distance education programmes, utilizing appropriate and sustainable technologies can broaden and improve the range of resources available to developing countries, thus helping them meet their requirements with regard to human resources development,

Stressing the importance of international co-operation in supporting national efforts for human resources development in developing countries, and stressing also that both North-South and South-South co-operation, including economic and technical co-operation among developing countries, can play a valuable role in this field,

Emphasizing the need for the organs, organizations and bodies of the United Nations system to continue to give priority to human resources development in developing countries,

1. *Takes note* of the report of the Secretary-General;[27]

2. *Takes note with appreciation* of the human-centred approach to the development process set out in the *Human Development Report 1990,* sponsored by the United Nations Development Programme, invites Governments to give due consideration to the ideas and recommendations contained therein, and invites the organs, organizations and bodies of the United Nations system to do likewise, bearing in mind the work envisaged in the report;

3. *Recognizes* that the achievement of a higher standard of living and the well-being of individuals and peoples in general, through self-reliance and sustained development, constitutes one of the basic goals of human resources development in developing countries;

4. *Emphasizes* that human resources development in a context of political freedom, popular participation, respect for human rights, justice and equity is essential to economic growth and development;

5. *Emphasizes also* that basic education and continued objective-directed training are the most essential elements in human resources development;

6. *Recognizes* the importance of appropriate and sustainable technologies in the training and educational processes in developing countries and, in this context, stresses the role of intensified international co-operation through, *inter alia,* the transfer of relevant technology;

7. *Stresses* the need for increased emphasis on co-operation in education programmes, including distance education programmes, in order to accelerate human resources development in developing countries;

8. *Emphasizes* the vital importance of national capacity-building in developing countries, and encourages the United Nations system, particularly the United Nations Development Programme, to intensify activities in support of national efforts in this regard;

9. *Emphasizes also* the critical importance of qualified national personnel in national capacity-building, and calls upon the international community to pay greater attention to the serious problem of the brain drain from developing countries;

10. *Emphasizes further* the need to integrate human resources development into comprehensive strategies for human development, including supportive measures in vital and related areas such as population, health, nutrition, water, sanitation, housing, communications and employment, and to assess the progress in those areas through appropriate qualitative and quantitative indicators;

11. *Stresses* that the search for solutions to the problems of the most vulnerable population groups in developing countries should constitute an integral part of human resources development strategies;

12. *Recognizes* that improving the economic and social status of women is essential to the attainment of human resources development objectives, and stresses that their role should be fully taken into account in human resources development strategies so that they can better contribute to and benefit from development processes;

13. *Recognizes also* the importance of the development of children and young people and their integration into human resources development programmes in developing countries;

14. *Stresses* the vital importance of co-operation between the public and private sectors in human resources development, particularly through the effective implementation of policies, plans and programmes for economic development and the optimal use of resources to that end;

15. *Stresses also* the importance of international support for national efforts and regional programmes for human resources development in developing countries and the need to increase the flow of resources to developing countries for those activities;

16. *Calls upon* the international community, including the multilateral financial and development institutions, to support the efforts of developing countries in human resources development, in accordance with their national priorities and plans, through, *inter alia,* operational activities of the United Nations system;

17. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution, including ways and means of strengthening his co-ordination of the activities of the United Nations system related to human resources development, as well as proposals for action by members of the international community further to promote and intensify co-operation in this field;

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[27] A/45/451.

18. *Decides* to include in the agenda of its forty-sixth session an item entitled "Human resources development".

71st plenary meeting
21 December 1990

45/192. Net transfer of resources between developing countries and developed countries

The General Assembly,

Recalling its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Recalling also its resolution 44/232 of 22 December 1989 and Economic and Social Council resolution 1989/112 of 28 July 1989, and taking note of Council resolution 1990/56 of 26 July 1990,

1. *Takes note with interest* of the report of the Secretary-General on the net transfer of resources from developing countries;[28]

2. *Requests* the Secretary-General to include in the *World Economic Survey 1991* an update of the section concerning causes of and factors related to the net transfer of resources between developing and developed countries and its impact on the economic growth and sustained development of developing countries, and to submit to the General Assembly at its forty-seventh session a comprehensive and analytical report with a view to halting and reversing this phenomenon.

71st plenary meeting
21 December 1990

45/193. The unification of Yemen: support of the international community for its economic and social infrastructure

The General Assembly,

Welcoming the merger on 22 May 1990 of the Yemen Arab Republic and the People's Democratic Republic of Yemen to form a single sovereign State called the Republic of Yemen,

Taking into consideration the declaration adopted at the fourteenth annual meeting of the Ministers for Foreign Affairs of the members of the Group of Seventy-seven, held in New York on 3 October 1990,[29] in which the world community was requested to render support for the economic and social infrastructure of Yemen to assist it in achieving prosperity for its people,

Realizing the difficult economic situation facing Yemen as a result of the merger of the economic and social infrastructures of the Yemen Arab Republic and the People's Democratic Republic of Yemen following their unification, in addition to the new economic and social burden resulting from the situation between Iraq and Kuwait,

1. *Expresses its solidarity* with Yemen in its efforts to overcome these conditions;

2. *Calls upon* States and governmental and international non-governmental organizations to extend their assistance in support of the national efforts to improve the economic and social infrastructure of Yemen;

3. *Requests* the Secretary-General to assist in mobilizing resources and to consider, in accordance with the resolution on assistance for the reconstruction and development of Yemen to be adopted by the General Assembly at the present session,[30] developing a comprehensive programme to assess the needs of Yemen resulting from the unification, in order to enable the international community to extend assistance to meet those needs;

4. *Also requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its forty-seventh session, through the Economic and Social Council at its second regular session of 1992.

71st plenary meeting
21 December 1990

45/194. Economic stabilization programmes in developing countries

The General Assembly,

Recalling its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Recalling also its resolution S-13/2 of 1 June 1986, the annex to which contains the United Nations Programme of Action for African Economic Recovery and Development 1986-1990,

Recalling further its resolution 44/24 of 17 November 1989 on the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation,

Recalling its resolution 44/212 of 22 December 1989 on international co-operation for the eradication of poverty in developing countries,

Deeply concerned about the difficult economic situation facing most developing countries, which has severe political and social consequences,

Reaffirming that the reactivation of economic growth and development in the developing countries will require a concerted and committed effort by all countries and should be addressed in the context of the increasing interdependence and integration in the world economy,

Reaffirming also that a supportive international economic environment and appropriate national policies are crucial to the revitalization of economic growth and development of developing countries,

Recognizing that economic stabilization and structural adjustment programmes are necessary, in many cases, in order to strengthen economic growth and development,

Recognizing also the significant efforts being undertaken by many developing countries in order to achieve the revitalization of their economic growth and development,

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[28] A/45/487.

[29] A/45/584, annex.

[30] See resolution 45/222.

1. *Stresses* that adequate measures should be taken at the international and national levels, as appropriate, to counteract the negative effects of the economic conditions that have prevailed in most developing countries during the past decade;

2. *Stresses also* the necessity of the integration of the human dimension in the formulation and implementation of structural adjustment programmes, with the aim of protecting, in particular, the most vulnerable groups of the population in the processes of adjustment;

3. *Stresses further* that structural adjustment programmes, in the context of the attainment of macro-economic balance, should contribute to modernization, diversification and growth of the economies of the developing countries and, at the same time, to the fulfilment of the aim of improving the human condition, especially the standard of living and quality of life of people, in particular the most vulnerable groups of the population;

4. *Calls upon* appropriate organs, organizations and bodies of the United Nations system to monitor and analyse further the relevant socio-economic indicators in order to assess closely the various socio-economic effects of the adjustment programmes;

5. *Emphasizes* that structural adjustment programmes should contain appropriate measures for long-term and sustained development and, thereby, contribute to the improvement of human and social conditions in developing countries;

6. *Emphasizes also* that the success of developing countries in stabilizing their economies will depend both on their own efforts and on a supportive international economic environment; in that regard, the international community should continue efforts to find a durable solution to the problems of external indebtedness, to increase the transfer of resources to developing countries, to develop a more open, durable and viable trading system and to enhance access to technologies; the co-ordination of macro-economic policies should take full account of the interests and concerns of all countries, particularly the developing countries;

7. *Calls upon* Governments, international organizations, multilateral financial institutions and bodies, organs and agencies of the United Nations system to take, within their mandates, appropriate measures designed to mobilize resources and increase financial flows to developing countries, with a view to ensuring that the resources available to them are commensurate with their efforts to stabilize their economies and their structural adjustment programmes, with particular reference to the need for protecting the most vulnerable groups of the population through, *inter alia,* social compensatory programmes;

8. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/195. Report of the South Commission

The General Assembly,

Taking note with appreciation of the report entitled *The Challenge to the South: The Report of the South Commission*[31] and the overview and summary of the South Commission report,[32] which are important contributions regarding the development process of the developing countries, assessing the achievements, analysing the failings and suggesting directions for reform,

1. *Requests* the Secretary-General, in consultation with the President of the Economic and Social Council, to convene, within existing resources, not excluding voluntary contributions, during the second regular session of 1991 of the Council, a meeting devoted to an informal exchange of views on the conclusions and recommendations contained in the report of the South Commission, in particular in its overview and summary;

2. *Invites* Governments and the organs, organizations and bodies of the United Nations system to submit their views on the conclusions and recommendations contained in the report of the South Commission, in particular in its overview and summary, for consideration at the aforementioned meeting of the Economic and Social Council;

3. *Invites* the President of the Economic and Social Council to report to the General Assembly at its forty-sixth session on the outcome of the informal exchange of views to be held during the second regular session of 1991 of the Council.

71st plenary meeting
21 December 1990

45/196. Industrial development co-operation and the diversification and modernization of productive activities in developing countries

The General Assembly,

Recalling the Lima Declaration and Plan of Action on Industrial Development and Co-operation[33] and the New Delhi Declaration and Plan of Action on Industrialization of Developing Countries and International Co-operation for their Industrial Development,[34]

Recalling its resolutions 35/66 of 5 December 1980, 36/182 of 17 December 1981, 37/212 of 20 December 1982 and 38/192 of 20 December 1983, as well as other relevant resolutions in the field of industrial development co-operation,

Recalling also its resolution 44/237 of 22 December 1989 on the Second Industrial Development Decade for Africa, by which it proclaimed the period 1991-2000 the Second Industrial Development Decade for Africa and proclaimed 20 November Africa Industrialization Day, for the purpose of mobilizing the commitment of the international community to the industrialization of Africa,

Recalling further its resolutions 42/186 and 42/187 of 11 December 1987, 43/53 of 6 December 1988, 43/196 of 20 December 1988 and 44/228 and 44/229 of 22 December 1989, relating to environment and development, and reaffirming, *inter alia,* the need for assistance from developed countries and the appropriate organs and organizations of the United Nations system to developing countries in enhancing their capacity for identifying, analysing, monitoring, managing and preventing damage to the environment by industry in accordance with their national development plans, priorities and objectives,

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[31] New York, Oxford University Press, 1990.

[32] A/45/810 and Corr.1, annex.

[33] See A/10112, chap. IV.

[34] ID/CONF.4/22 and Corr.1, chap. VI.

Reaffirming the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, bearing in mind the International Development Strategy for the Fourth United Nations Development Decade[14] and taking note of the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,[15]

Concerned that, despite an increase in the overall industrial production of the developing countries, their share in world industrial production remains at a low level,

Convinced that the reactivation of economic growth and development of developing countries would be facilitated, *inter alia,* through their industrial development and the diversification and modernization of their productive activities,

Recognizing the necessity of properly assisting all developing countries at their different stages of industrialization, mainly through the development and strengthening of industrial infrastructures, the modernization of production capabilities and the improvement of training techniques,

Recognizing also the responsibility of developing countries for developing their industrial and technological capabilities, and stressing that their efforts should be adequately supported by the international community and that the transfer of technology, on appropriate terms, to developing countries and the training of national technical personnel are essential in this regard,

Recognizing further the importance of industrial development for strengthening science and technology and indigenous capacity-building in developing countries, including appropriate institutional infrastructure, such as research institutes, centres of standardization and metrology, and industrial and technological information centres,

Aware that, in selecting patterns of industrialization, the developing countries should take into account the need to generate employment and to incorporate new and emerging environmentally sound technologies,

Convinced that, in order to promote the industrial development of developing countries, their indigenous capabilities in such areas as entrepreneurship, management, technology, financing and marketing need to be built up or strengthened and that technical and financial assistance would need to be extended in support of the national efforts of the developing countries for this purpose,

Recognizing that any viable process of industrialization requires an adequately high and increasing level of demand, which can be substantially reinforced in respect of developing countries through trade liberalization and a sustained improvement in the access of developing countries' exports to the markets of both developed and developing countries,

Recognizing also that steady growth in agricultural productivity can be enhanced in particular through the application of industrial inputs and the mechanization of agriculture, which is possible only if a reasonable pace of industrialization is ensured,

Recognizing further that the promotion of agro-industries plays a key role in the industrialization of developing countries,

Convinced that industrial progress in developing countries can also be significantly enhanced through co-operation among such countries at all levels and by integrating markets and setting up joint ventures and human resources development programmes for training and upgrading skills and through the integration of women, which should be among the objectives of policies and measures to promote industrialization in developing countries,

Aware that foreign direct investment in an appropriate domestic context can make an important contribution to industrialization in developing countries, not only by providing additional financial resources, but also as a means of providing access to modern and environmentally sound technologies, skills and markets,

Convinced that entrepreneurship should be encouraged at all levels and in all sectors for the setting up of industries and that there is a strong potential for the development of small and medium-sized industries that could contribute to the expansion of both urban and rural employment opportunities and eradicate poverty,

Reaffirming the role of the United Nations Industrial Development Organization as the co-ordinating organ in the United Nations system having primary responsibility for promoting and accelerating industrial development and the transfer of industrial technology to developing countries,

1. *Invites* developed countries to take fully into account the broad implications of their policy decisions for the international economy, and in particular their effects on the economies of the developing countries, including the industrial development of those countries;

2. *Recognizes* that developing countries need to provide adequate support to their infant industries, when appropriate, in order to enable them to build up competitive industrial capacities;

3. *Emphasizes* the need for more effective international co-operation through all appropriate mechanisms, including training, workshops, seminars, fellowships and international conferences, in order to facilitate access and transfer to the developing countries of environmentally sound technologies, including new and emerging ones;

4. *Requests* the United Nations Industrial Development Organization and other international organizations to help developing countries evaluate and select industrial technologies suitable for their development;

5. *Recognizes* the need to support co-operation among developing countries in this regard, with a view

to improving their capabilities in negotiating with technology suppliers;

6. *Stresses* the role of the United Nations Industrial Development Organization in assisting developing countries in the formulation of programmes and plans for industrialization in their countries, and recognizes the contribution of the special trust fund schemes launched by the United Nations Industrial Development Organization in developing alternatives to traditional assistance programmes;

7. *Recognizes* that there are significant opportunities for economic and technical co-operation among developing countries with regard to their industrialization, and, in this context, recommends that developed countries and international organizations support such co-operative ventures;

8. *Also recognizes* that in promoting the industrial development of developing countries special emphasis should be placed on an appropriate mix of the agricultural, industrial and service sectors among small, medium-sized and large industries, depending upon the conditions obtaining in each developing country;

9. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on ways and means of promoting the enhancement of United Nations activities with regard to the training of scientists, engineers and entrepreneurs from developing countries, with a view to promoting all related sectors and disciplines supporting industrial development co-operation and the diversification and modernization of productive activities in developing countries;

10. *Recommends* that the Administrative Committee on Co-ordination examine ways and means of fostering United Nations system activities with regard to industrial development co-operation and the diversification and modernization of productive activities in developing countries and report thereon, through the Secretary-General, to the General Assembly at its forty-sixth session;

11. *Recommends* that the United Nations Industrial Development Organization, in close co-operation with the appropriate organs, organizations and bodies of the United Nations system, including the regional commissions, make recommendations to the General Assembly at its forty-sixth session, through the Economic and Social Council, with a view to strengthening effectively industrial development co-operation and the diversification and modernization of productive activities in developing countries;

12. *Requests* the Secretary-General to give priority in the medium-term plan to the issue of industrial development co-operation and the diversification and modernization of productive activities in developing countries;

13. *Decides* to include in the provisional agenda of its forty-sixth session an item entitled "Industrial development co-operation and the diversification and modernization of productive activities in developing countries" and subsequently to include this item in the agenda on a biennial basis.

71st plenary meeting
21 December 1990

45/197. Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas

The General Assembly,

Recalling its resolution 44/225 concerning large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas, including enclosed and semi-enclosed seas, which was adopted by consensus on 22 December 1989,

Also recalling, in particular, that the General Assembly recommended that all members of the international community agree to certain measures specified in the operative paragraphs of resolution 44/225,

Further recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea,[35] which are referred to in the seventh to tenth preambular paragraphs of resolution 44/225,

Commending the unilateral, regional and international efforts that have been undertaken by members of the international community and international organizations to implement and support the objectives of resolution 44/225,

Noting that at the Twenty-first South Pacific Forum, held at Port Vila on 31 July and 1 August 1990, the Heads of Government reaffirmed their opposition to large-scale pelagic driftnet fishing,[36] and taking note of the resolution on large-scale pelagic driftnet fishing in the South Pacific region, adopted by the South Pacific Conference at Noumea, New Caledonia, on 31 October 1990,

Welcoming the decision of a Member State to suspend driftnet operations in the South Pacific one year in advance of the date of cessation stipulated by the General Assembly, and the decision of other Member States to cease or suspend driftnet fishing,

Taking note of the Castries Declaration[37] issued on 24 November 1989 at the sixteenth meeting of the Authority of the Organization of Eastern Caribbean States, in which the Authority resolved to establish a regional régime for the regulation and management of the pelagic resources in the Lesser Antilles region that would outlaw the use of driftnets and called upon other States in the region to co-operate in this regard, and noting the more recent developments in the wider Caribbean Community region,

Noting that there have been recent meetings related, *inter alia*, to the protection of fish and other living marine resources and the environment in the Mediterranean, including the Meeting of the Nine Western Mediterranean Countries on Dialogue and Co-operation in the Western Mediterranean, held at Rome on 10 October 1990, and the Meeting on the Mediterranean of the Conference on Security and Co-operation in Europe, held at Palma de Mallorca, Spain, from 24 September to 19 October 1990,

Noting also that the International North Pacific Fisheries Commission has concerned itself with large-scale pelagic driftnet fishing in the North Pacific Ocean, including the need to accumulate scientific knowledge, and has supported the full implementation of resolution 44/225,

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[35] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

[36] See A/45/456, annex.

[37] A/45/64, annex.

Noting further that the International Whaling Commission, at its forty-second annual meeting, in July 1990, referred to the use of large-scale pelagic driftnets in many areas of the high seas, including important habitats for cetaceans encompassing feeding and breeding grounds and migratory pathways, and endorsed resolution 44/225,

Noting that, at its first session, the Preparatory Committee for the United Nations Conference on Environment and Development requested the Secretary-General of the Conference to prepare, for submission to the Preparatory Committee at its second session, a comprehensive report on, *inter alia,* the impact of large-scale harvesting, and new fishing technologies and fishing technologies incompatible with the sustainable management of living marine resources, taking into account resolution 44/225,[38]

Noting with appreciation the contribution to the report of the Secretary-General[39] made by the Food and Agriculture Organization of the United Nations, by other appropriate organs, organizations and programmes of the United Nations system and by various regional and subregional fisheries organizations, in response to the request of the General Assembly in paragraph 6 of resolution 44/225,

Also noting with appreciation the contribution to the report of the Secretary-General made voluntarily by some members of the international community and by intergovernmental and non-governmental organizations,

Noting that some members of the international community have initiated co-operative efforts to obtain statistically sound data on the impact of large-scale pelagic driftnet fishing,

Expressing deep concern about reports of attempts to expand large-scale pelagic driftnet fishing on the high seas of the Atlantic Ocean by one fishing entity, in disregard of paragraph 4 (*c*) of resolution 44/225,

Expressing concern about reports of reflagging of vessels by some private fishing interests, which is contrary to the spirit and content of resolution 44/225,

1. *Takes note with interest* of the report of the Secretary-General[39] and expresses its appreciation for his efforts;

2. *Reaffirms* its resolution 44/225 and calls for its full implementation by all members of the international community, in accordance with the measures and time-frame elaborated in paragraph 4 of that resolution concerning large-scale pelagic driftnet fishing on the high seas of all the world's oceans and seas, including enclosed and semi-enclosed seas;

3. *Also reaffirms* that it is important that all members of the international community take such measures as may be necessary to ensure compliance with paragraph 4 (*c*) of resolution 44/225;

4. *Requests* the specialized agencies and other appropriate organs, organizations and programmes of the United Nations system, as well as the various global, regional and subregional fishery organizations, to continue to study urgently large-scale pelagic driftnet fishing and its impact on living marine resources and to report their views to the Secretary-General, bearing in mind the dates set out in paragraphs 3 and 4 of resolution 44/225;

5. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council and well-established scientific institutions with expertise in relation to living marine resources;

6. *Also requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/198. Inclusion of Namibia in the list of least developed countries

The General Assembly,

Taking note of the resolution adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990, in which the Conference recommended that Namibia should be given special consideration in support of its economic and social development and invited the General Assembly to consider, in accordance with established procedures, the question of the inclusion of Namibia in the list of least developed countries,[40]

Taking note also of the Declaration of the Heads of State and Government of the Least Developed Countries, issued at the end of their meeting in New York on 1 October 1990,[41] in which, *inter alia,* the General Assembly was invited to consider the matter,

1. *Requests* the Committee for Development Planning at its twenty-seventh session to consider the question of the inclusion of Namibia in the list of least developed countries, to report on its findings to the Economic and Social Council for consideration at its second regular session of 1991 and to report on the matter to the General Assembly at its forty-sixth session;

2. *Decides* to give Namibia special consideration in support of its economic and social development, in accordance with the resolution on economic assistance and least developed country status for Namibia adopted at the Second United Nations Conference on the Least Developed Countries;

3. *Encourages* all members of the international community and all organizations of the United Nations system to provide all possible support to the fledgling economic and social structures of the new nation of Namibia and to its development aspirations.

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[38] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 46* (A/45/46), annex I, decision 1/20, para. 1 (*o*).

[39] A/45/663 and Corr.1.

[40] See A/45/695, para. 46.

[41] A/C.2/45/5, annex.

45/199. International Development Strategy for the Fourth United Nations Development Decade

The General Assembly

1. *Proclaims* the Fourth United Nations Development Decade, starting on 1 January 1991;

2. *Adopts* the International Development Strategy for the Fourth United Nations Development Decade, as set forth in the annex to the present resolution.

71st plenary meeting
21 December 1990

ANNEX

International Development Strategy for the Fourth United Nations Development Decade

I. PREAMBLE

1. We, the States Members of the United Nations, adopt the following International Development Strategy and designate 1 January 1991 to 31 December 2000 as the Fourth United Nations Development Decade. The global consensus reached in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to General Assembly resolution S-18/3, provides the basis for this Strategy. We pledge ourselves individually and collectively to undertake the measures necessary to implement the Strategy.

2. The goals and objectives of the International Development Strategy for the Third United Nations Development Decade were for the most part unattained. Adverse and unanticipated developments in the world economy wiped out the premises on which growth had been expected. The early years of the 1980s witnessed a recession in the developed, market economy countries. Although growth in these countries resumed in 1983 and was sustained at a moderate tempo virtually without inflation over the remainder of the decade, the period was one of marked imbalances, external as well as fiscal, and of relatively high unemployment. Growth rates slowed down in the countries of Eastern Europe, where the need for structural transformation became increasingly manifest, resulting, by the end of the decade, in sweeping economic and political changes. World trade returned to a path of relatively rapid growth in the second half of the 1980s. But, for the developing countries, the external economic environment over the decade was generally characterized by shrinking resource flows, declining commodity prices, rising interest rates and increasing barriers to market access. During the 1980s, overall growth in the developing countries averaged 3 per cent annually and per capita growth 1 per cent. Over the 1960s and 1970s, by comparison, overall growth in these countries averaged 5.5 per cent and per capita growth 3 per cent.

3. Despite this background, some developing countries, among them some of the biggest and the poorest, succeeded in maintaining a relatively fast tempo of growth and transformation. For most others, however, the decade was one of falling growth rates, declining living standards and deepening poverty. The debt crisis that erupted in 1982 led to the virtual cessation of net commercial bank lending. There was a negative transfer of net financial resources to the indebted countries, whose debt-servicing capacity was further weakened as interest rates grew and terms of trade deteriorated. As a result, the overall growth of developing countries with debt-servicing difficulties was only 1.5 per cent during the period 1981-1990. The decade of the 1980s saw a widening of the gap between the rich and the poor countries. It also witnessed political tensions and conflicts, as well as natural and man-made disasters that were costly and disruptive.

4. If the 1990s are to be a decade of development, this record of unsatisfactory progress and performance needs to be changed. Projections by the organizations of the United Nations system unanimously suggest, however, that in the absence of major changes in policies, the coming decade will be much like the previous one. While relatively rapid growth is foreseen for some countries of Asia, the prospect is one of continued stagnation for others, particularly in Africa and Latin America.

5. Such a prospect is fraught with danger. Growing populations and young and expanding work forces, as well as rising aspirations associated with the spread of education and the impact of communications, are imposing intense pressures on the political and social fabric of developing countries. Unless these pressures are relieved by decisive improvements in the pace and character of development, economic distress and political and social instability may spread, not only within national boundaries but beyond them as well, and may affect the peace and stability of the world as a whole. In the many developing countries where economic conditions stagnated or declined in the 1980s, absolute poverty became more widespread and conditions deteriorated with regard to nutrition and food security, job creation and education, health care and infant mortality, housing and sanitation. The erosion of living standards and social services brought mounting political unrest to many countries.

6. The interdependence of nations is rapidly becoming far more than a matter of trade and finance links alone. There are strong trends towards greater openness in the movement of funds, people and ideas around the world. Over the past decade, violence, social disorder and terrorism have become more common. Conflicts and upheavals lead to the movement of refugees and international migrants and give rise to problems of border control, admission and assimilation in receiving countries. The illicit traffic in narcotics links the poverty and social problems of the rich countries to those of producers whose traditional crops no longer ensure them a living. Environmental threats and epidemics are often themselves of global scope. These and other related problems can only be aggravated by economic stresses and strains and by the failure of the development process in the developing countries. The entire international community, rich and poor countries alike, has thus a vital stake in ensuring that the decade of the 1990s is truly one of economic and social progress throughout the world.

7. The prospects for the 1990s, assessed on the basis of the continuation of present policies, can and must be changed. The reactivation and acceleration of the development process is in the interest of all countries. The developing countries can provide a strong stimulus to world trade and investment and can contribute to the strength and stability of the world economy. They already account for a significant share of the markets of the developed countries. Far-reaching developments have taken place on the international scene that provide new opportunities for reversing the trends of the 1980s. The relaxation of international tensions offers an opportunity for reducing military spending worldwide, for a reduction of the strains on national economies and for the application of larger resources to the fight against world poverty. The waning of ideological conflicts is improving the climate of co-operation at all levels. There is no universal prescription for successful development, but a growing convergence of views is emerging with respect to effective approaches to economic and social development and with regard to the potential contributions to the development process of the private and public sectors, of individuals and enterprises and of democratic rights and freedoms.

8. A strong stimulus to global co-operation is provided by the consciousness of the global consequences of environmental problems and their interaction with both development and the lack of development and by a growing awareness of the threats to the security of nations that could arise from frustrations and tensions in developing countries. Closer integration, in both Europe and North America, in prospect of the 1990s, has the potential to strengthen major economies and their capacity to support global economic growth if accompanied by openness to the outside world. The reform and restructuring of the economies of Eastern Europe and their integration into the world economy can contribute to the strength and dynamism of world trade. Closer co-operation and integration among the developing countries themselves also offer an opportunity to enhance the vigour of the development process. No less important, the rapid advances in science and technology and in global communications are opening up new vistas for improvement of productivity, structural change and accelerated development.

9. These changes do not by themselves guarantee a reversal of the present trends or ensure that the development experience in the new decade will differ markedly from that of the 1980s. There are dangers, if the opportunities are not grasped, of increasing marginalization of many developing countries in the world economy and of a weakening of the focus on development as an objective of international economic co-operation. But the changes offer a new context for decision-making and policy formulation and for approaches that could reverse the experience of the 1980s. They provide an opportunity for the formulation and implementation of an International Development Strategy that is aimed at releasing the great potential for development that exists in the developing countries and in the world economy.

10. The Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to General Assembly resolution S-18/3, contains a pledge that Member States will endeavour to take all necessary steps to reverse the adverse trends of the 1980s, address the challenges of the 1990s and move into a more productive decade, recognizing that such actions should take into account the responsibility of each country for its own development and should be in accordance with its capacity and its impact on the international economy. As in the 1980s, events now unforeseen will undoubtedly put their stamp on the coming decade. This Strategy is flexible. It seeks above all to spell out an agreed understanding on the issues and challenges, the actions and the commitments, on the basis of principles for national and international action that will remain valid.

11. Countries have to adapt their national policies to facilitate open exchange and flexible responses to the changing world economy. Effective national policies have a critical role to play in achieving sustained, non-inflationary economic growth in all countries. Such policies should be supportive of investment, as well as of efficient mobilization and allocation of resources in order to achieve durable growth.

12. It is against this background that Member States agree on the goals and objectives for the Fourth United Nations Development Decade as set out below.

II. GOALS AND OBJECTIVES

13. The principal aim of the Strategy is to ensure that the 1990s are a decade of accelerated development in the developing countries and strengthened international co-operation. The decade should witness a significant improvement in the human condition in the developing countries and a reduction in the gap between rich and poor countries. It should be one in which ways are found for the world community to meet its needs without degrading the environment. The Strategy also has important social and political objectives. Development over the decade should enhance the participation of all men and women in economic and political life, protect cultural identities and assure to all the necessary means of survival. Each country is responsible for its own economic policies for development, in accordance with its specific situation and conditions, and for the life and well-being of all its citizens. The Strategy should help provide an environment that supports the evolution everywhere of political systems based on consent and respect for human rights, as well as social and economic rights, and of systems of justice that protect all citizens.

14. To achieve these fundamental aims six interrelated goals must be met. They are:

(*a*) A surge in the pace of economic growth in the developing countries;

(*b*) A development process that is responsive to social needs, seeks a significant reduction in extreme poverty, promotes the development and utilization of human resources and skills and is environmentally sound and sustainable;

(*c*) An improvement of the international systems of money, finance and trade so as to support the development process;

(*d*) A setting of strength and stability in the world economy and sound macro-economic management, nationally and internationally;

(*e*) A decisive strengthening of international development co-operation;

(*f*) A special effort to deal with the problems of the least developed countries, the weakest among the developing countries.

15. These goals and objectives pose a big challenge. They call for serious and committed efforts by all countries. The developing countries themselves have the responsibility for the great effort needed to mobilize the potential of their people, to modernize and diversify their economies and to set themselves ambitious targets to build the foundation on which development rests: technical and managerial skills, industrial and agricultural capability and effective government services. Human resources development, entrepreneurship and innovation, and the energetic application of science and technology, in a context of political freedom, respect for human rights, justice and equity, are all essential and relevant to growth and development. The Strategy has singled out a number of areas of special priority: the eradication of poverty and hunger, human resources and institutional development, population, the environment and food and agriculture. The pursuit of goals in these areas calls for resolute and vigorous action and for styles of development that establish a mutually reinforcing relationship between rapid economic growth and social objectives.

16. The efforts of the developing countries will, however, be easily thwarted by an unsupportive external environment. They will be thwarted if sudden external shocks decimate their national product and external revenues, as happened to many of them in the 1980s. All countries live in the international economic environment, but most developing countries remain imperfectly integrated into it and excessively vulnerable to its instability. Many are captives of external debt problems, of reduction in external resource flows, of sharply declining terms of trade and of mounting barriers to market access. Great obligations fall on the industrialized countries, which influence the international economic environment and the functioning of the international economy and are partners in international co-operation for development. Great obligations fall also on the system of international organizations to extend and fulfil their role in the promotion of development. Developing countries can prosper only in a stable and progressive world economy and, conversely, the world community can have a safe and prosperous future only if economic, social and political progress in the developing countries is assured.

17. The attainment of the aims of the Strategy calls for more than marginal increases in growth rates. The developing countries must be enabled to generate progressively the resources needed to ensure productive employment for a fast-growing labour force, to overcome hunger, disease and ignorance and to raise living standards. The negative trends of the 1980s need to be reversed and conditions created for a kind of development that signifies a genuine transformation and does more than keep a growing population from the brink of famine. The time has come to move beyond adjusting to the shocks of the 1980s and to lay the foundations for a new wave of development. For most developing countries, growth rates must accelerate significantly during the decade. Growth objectives will vary from country to country. For the relatively few countries where growth in the 1980s was satisfactory, the aim would be to consolidate progress and ensure that it is sustained. In the many countries where growth was interrupted, the first requirement is a return to a path of expansion where economic growth does not merely keep pace with, but well exceeds, the growth of population. In the second half of the decade, the foundations for higher rates of growth should have been established. On the basis of the experience of some countries, it is considered that sustained growth at a rate of the order of 7 per cent would provide the necessary conditions for a genuine transformation of the economy, with rapid increases in productive employment and poverty eradication, and would generate the resources needed for the protection of the environment.

18. Higher rates of growth in developing countries will reflect progress in several sectors of the economy and in the pursuit of social and other goals. Although the Strategy does not seek to establish comprehensive and interrelated sectoral targets to be attained by the developing countries as a whole, many of its elements have been addressed in the various parts of the United Nations system. They cover such areas, among others, as employment and health, women and children, industry and technology, agriculture and food, population, education and culture, shelter and settlements, telecommunications, transportation, including shipping, and the environment. Sectoral strategies and plans for significant achievements have been agreed upon by Governments. Translated into goals and objectives for both national and international efforts, ambitious and feasible targets of this kind have proved valuable in focusing policies and in monitoring progress. They also serve as reminders of the progress that can be achieved within a decade, with strong political commitment and dedicated efforts.

19. The Strategy must look beyond the constraints of the moment. A decade is not enough to work miracles, but a true decade of development would make a great difference to the world situation on the eve of the next century. Serious development problems would still persist, but the debilitating deadlock of the recent past would have been broken for many developing countries. Their living standards would be rising instead of falling, the younger generation would find employment instead of being condemned to a desperate scurry for survival, and poverty and hunger would be pushed back instead of advancing. Revived investment would lay the foundation for growth in the next century and the energies and talents of the people in the developing countries would be harnessed for building their own future. The world as a whole would be safer and more prosperous than it will if present trends continue. A continued development failure in the next decade would be an invitation to world-wide disorder.

III. POLICIES AND MEASURES

20. The policies and measures needed to support and realize the Strategy must reflect the urgency of its goals and objectives. They must aim at the acceleration of growth and give attention to issues of special priority in the development process and must respond to special situations, including those of the least developed countries. In each area, there are important policies and measures that need to be adopted in a national context by the developing countries themselves. There are equally important policies and measures that have to be adopted by the developed countries in the context of international co-operation for development. The international community as a whole must also strengthen the systems that support the sound workings of the world economy and the development process. The Strategy is thus of relevance to all countries, which must commit their best efforts to pursuing its goals within the limits of their abilities and responsibilities. The Strategy does not require unrequited sacrifices on the part of any countries. To the extent that public resources must be used in the pursuit of its goals, they represent investments in a better future world, investments that are strikingly modest by the standard of present defence budgets.

A. THE REACTIVATION OF DEVELOPMENT

1. *Economic policy frameworks, external debt, development finance, international trade, commodities*

21. The reactivation and acceleration of development requires both a dynamic and supportive international economic environment and determined policies at the national level. It will be frustrated in the absence of either of these requirements. The policies and measures needed for the 1990s must therefore cover both aspects. A supportive external economic environment is crucial. The development process will not gather momentum if the global economy lacks dynamism and stability and is beset with uncertainties. Neither will it gather momentum if the developing countries are weighed down by external indebtedness, if development finance is inadequate, if barriers restrict access to markets and if commodity prices and the terms of trade of developing countries remain depressed. The record of the 1980s was essentially negative on each of these counts and needs to be reversed. The policies and measures needed to create an international environment that is strongly supportive of national development efforts in the 1990s are thus a vital part of the Strategy. So too are national policies for development. Their main elements are set out below.

The economic policy framework

22. A surge in development during the decade of the 1990s can take place only within supportive frameworks of overall economic policy, both national and international. The sound macro-economic management of the world economy is of paramount importance. The major industrialized countries, which broadly determine the international economic environment by their policies, have a special responsibility to bring about a stable and predictable international economic environment in which development can succeed. The adverse development environment of the 1980s was in part a consequence of restrictive policies of the earlier years of the decade aimed at combating inflation at the expense of growth. The major industrialized countries influence world economic growth and the international economic environment profoundly. They should continue their efforts to promote sustained growth and to narrow imbalances in a manner that can benefit other countries. The co-ordination of macro-economic policies should take full account of the interests and concerns of all countries, particularly the developing countries. Efforts should be made to enhance the effectiveness of multilateral surveillance aimed at correcting existing external and fiscal imbalances, promoting non-inflationary sustainable growth, lowering real rates of interest and making exchange rates more stable and markets more accessible.

23. The macro-economic policies of the developed countries should take account of the interests and concerns of the developing countries. During the 1980s, the developing countries were seriously affected by increases in real rates of interest and by frequent fluctuations in key exchange rates.

24. The economic policy framework of developing countries helps to shape the national environment for development and will need to take account of the objectives, priorities and particular circumstances of each country. But the acceleration of development will require strenuous efforts on a number of fronts. There is a need for determined policies that aim at increasing domestic savings and raising investments, as well as at improving the returns to investment. National policies must succeed in containing inflationary pressures, which often have adverse economic and social consequences that prove disruptive of development. This calls for monetary and fiscal discipline to promote price stability and external balance and the maintenance of realistic exchange rates without the need for repeated currency depreciations that have often had adverse consequences on social stability and the terms of trade of developing countries.

25. National policies must also be directed at mobilizing all the latent energies and impulses for development within the developing countries, at promoting efficiency in the allocation of resources and at taking advantage of the opportunities for trade, investment and scientific and technological progress provided by a changing global economic environment. The role of the public sector in the development process is essential. Impediments to progress caused by bureaucratic inefficiencies, strains on administration, excessive controls and neglect of market conditions by public enterprises need to be removed. The policy environment should, within the context of national goals, encourage a creative contribution by the private sector, stimulate entrepreneurship and innovation and promote the participation of the people at all levels in the development process. It should provide scope for the operation of market forces and for realistic pricing as a means to greater efficiency and soundness in the allocation of resources. The national policy framework should also enable developing countries to take full advantage of the opportunities of international trade and foreign investment, as well as promote co-operation among themselves. The effectiveness and flexibility of national policy frameworks would be enhanced in a setting of improving political institutions and legal systems. This would be reinforced by conditions that would permit declining military expenditures and thus the channelling of resources released to social and economic development.

External debt

26. For many developing countries, the reactivation of development will not take place without an early and durable solution to the problems of external indebtedness, taking into account the fact that, for many developing countries, external debt burdens are a significant problem. The burden of debt-service payments on those countries has imposed severe constraints on their ability to accelerate growth and eradicate poverty and has led to a contraction in imports, investment and consumption. External indebtedness has emerged as a main factor in the economic stalemate in the developing countries; there has been a large net transfer of resources from the developing to the developed countries, depriving the former of much-needed resources for development. Development during the decade of the 1990s should not be hampered by prolonged failure to resolve the international debt problems. Accordingly, a durable and broad solution to these problems should continue to be given urgent attention as we begin the decade of the 1990s. Innovative solutions need to be found and relief obtained in the initial years of the decade.

27. Recent initiatives and measures to reduce the stock and service of debt or to provide debt relief for developing countries should be broadly implemented. Relief measures should aim at the resumption of vigorous growth and development in these countries and should address all types of bilateral debt of debtor developing countries. Serious consideration should be given to continuing to work towards a growth-oriented solution of the problems of developing countries with serious debt-servicing problems, including those whose debt is mainly to official creditors or to multilateral institutions.

28. Finding a solution to the debt problems is the joint responsibility of debtor and creditor countries, commercial banks and multilateral financial institutions. Debtor countries should continue their efforts to attain efficiency and return to a path of sustained growth by adopting appropriate national economic policies. The creditor countries are encouraged to continue reviewing their tax policies and regulatory and accounting practices in order to facilitate commercial debt and debt-service reduction operations. The multilateral financial institutions should continue to provide support for debt and debt-service reduction packages, with the necessary flexibility, under their established guidelines. Creditor countries should support growth-oriented policies of debtor countries in order to facilitate the resumption of growth and development, as well as the prompt restoration of creditworthiness of the debtor countries.

29. The measures agreed upon in the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,[15] on the external debt problems of the least developed countries should be urgently and vigorously implemented.

30. The Paris Club is invited to consider increasing the flexibility of its negotiating mechanism and examining the current criteria of eligibility for debt relief, as well as the scope of the initiative taken at the Toronto Economic Summit, held in June 1988,[42] for dealing with the debt problem, taking into account, *inter alia,* the Economic Declaration adopted at the Houston Economic Summit, held in July 1990. Measures must continue to be taken to relieve the external debt burden of low-income and lower-middle-income countries whose debts are mainly to official creditors. Measures to address the external official debt problems of middle-income countries should also be seriously considered.

31. The external debt of the developing countries includes debts to multilateral financial institutions. These institutions must continue to find means to relieve the burdens that arise out of such debt in ways that safeguard the high standing of the institutions in financial markets, such as the World Bank Debt Reduction Facility of the International Development Association established in 1989 to provide debt relief to severely indebted low-income developing countries.

32. There is a close interrelationship between the external debt problem of the developing countries and the global economic environment. The debt-service burden is aggravated by rising interest rates, declining terms of trade, shrinking flows of external resources, protectionist barriers to trade and slow growth in the world economy, and would be lessened by an improvement in these factors. A marked improvement in the international economic environment, combined with appropriate national policies that take advantage of this improvement, is essential in order to solve these debt problems and avoid their proliferation among countries that have hitherto avoided their disruptive consequences.

External development finance

33. Adequate resources, both domestic and external, are an essential condition for the reactivation of development. The developing countries need to mobilize domestic resources to the greatest extent possible and implement determined policies and measures to this end. In the case of most developing countries, domestic savings contribute by far the larger part of the resources utilized for investment.

34. However, the essence of the development problem is that countries that are poor have limited scope for increasing savings by restraining levels of consumption that are already low. The savings efforts of the developing countries need therefore to be supplemented by external resources so as to raise investment to the levels needed for adequate economic growth.

35. Furthermore, the development process is generally dependent on the flow of imported goods and services that are needed for the growth of the economy. Where export earnings fall short of import needs, the development process would be frustrated in the absence of supplementary flows of external resources.

36. The external economic environment of the 1980s did not favour the flow of external resources to developing countries. Falling commodity prices and protectionist trends weakened the export earnings of many countries, while the flow of development finance was impeded by constraints on aid budgets in the donor countries and, after the debt crisis of 1982, the end of net lending by commercial banks to developing countries. Because of this, developing countries became less attractive for foreign investors. By the middle of the 1980s, the net transfer of resources to developing countries on the aggregate turned negative because of the burden of debt-service payments. This trend was further compounded by losses incurred by developing countries on account of the deterioration in their terms of trade.

37. These trends have to be reversed in the 1990s if development is to be accelerated. A surge in the tempo of development is virtually unimaginable if the flow of external resources is from the poorer to the richer countries rather than vice versa. This would make meaningless the concept of a decade of development endorsed by the international community. The new consensus on the need for a reactivation of development and on the priorities of development policies calls for a new commitment on the part of the international community to augment the flow of development finance to the levels needed to attain these agreed goals.

38. A reduction in the burden of debt-service payments, as discussed earlier, is an essential requirement for reversing the negative trends relating to the flow of external resources to developing countries. But there must also be significant improvements in the flow of finance for development from the major sources of such finance, that is, official bilateral assistance, lending by commercial banks, direct private investment and multilateral financial institutions. Such improvements, when taken as a whole, should be adequate for the requirements of development finance in the 1990s. In order merely to restore a positive net transfer to the developing countries in a foreseeable future, during which no substantial flows of commercial credits can be expected, net official flows of loans and grants from all sources, which remained virtually constant at $35 billion in the 1980s, would have to grow substantially in the first half of the 1990s.

39. Economic reforms and the integration of Eastern Europe into the world market will generate substantial new demands for resources. This enlargement of the international division of labour will be to the benefit of all, but such needs should be met without diversion of the flows needed by developing countries.

40. Official development assistance must remain an essential source of concessional aid to the developing countries, particularly to the poorest and the least developed. Aid programmes of donor countries have in many cases remained at low levels and need to be substantially improved in the 1990s. Official development assistance has, on average, remained at only half of the internationally agreed target of 0.7 per cent of their gross national product. Donor countries should, in the 1990s, implement such undertakings as they have made to reach or surpass this target, as well as the targets for the least developed countries as adopted by the Second United Nations Conference on the Least Developed Countries. There should also be continued improvements in the quality of aid as well as in its utilization. The release of resources from any reductions in military spending and the recovery in the industrial countries should ease the budgetary constraints of donor countries, and rising concern about the environment and world poverty should provide new opportunities for development co-operation.

41. New possibilities for increasing the flow of development finance in the 1990s should also be explored. These include proposals for devoting part of the resources that may be released by the disarmament process and reduced military spending to development and for recycling to the developing countries, through suitable mechanisms and modalities, a part of the payment surpluses of major developed countries.

42. Lending by commercial banks, in the aftermath of the debt crisis, has ceased to be a major source of development finance. However, a resumption of such lending is relevant in the context both of solutions to the debt problem and of the needs of the developing countries, particularly those which are not recipients of significant concessional aid. The reactivation and acceleration of growth and an improvement in the global economic environment will help restore confidence in the creditworthiness of borrowing countries and facilitate the return of flight capital. None the less, innovative changes will also be needed to evolve instruments of lending that help cushion borrowing countries against a recurrence of debt-service problems.

43. Foreign direct investment, which is not generally debt creating, could play an increasingly important role as a source of development finance, particularly when international trade is growing, markets are expanding and new opportunities are opening up through scientific and technological developments. Transnational corporations are already channels for technology transfer, world trade and marketing. Many developing countries are seeking, to the extent compatible with national objectives, to establish a positive investment climate and to adopt appropriate investment codes.

44. The need for development finance is unlikely to be met exclusively through channels of official development assistance, lending by commercial banks and direct private foreign investment. The multilateral financial institutions could and should play a major role in the 1990s in development financing. Despite the efforts that have been made to enlarge the resources of the institutions in order to meet new needs, they will have to be considerably expanded in the 1990s. Their resources have been falling behind the growth of the world economy and especially behind that of the world capital markets. The net lending of the World Bank and regional development banks was, by the late 1980s, negligible or negative for a large number of developing countries. These institutions should be enabled to serve the role of intermediation between developing countries and the international capital market, for which they were designed. The conditionality associated with the use of resources should be realistic and in accordance with the need to ensure effective utilization by recipient countries.

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[42] See A/43/435-S/19974.

45. The international monetary and financial system must evolve in the 1990s and respond to the needs of a changing world, which now calls for universal co-operation. It should become an increasingly important source of both development finance and international liquidity. It should provide greater stability and predictability in exchange rates. Developing countries should have greater influence in decisions that affect them vitally.

International trade

46. The goal of reactivating development requires a strongly supportive environment for international trade in general and for trade of the developing countries in particular over the decade of the 1990s. The international trading system is the pillar of an interdependent world economy and should establish conditions of openness and fairness in the interest of all countries. Growth and development and the solution of the pressing problems facing the developing countries are dependent on an open and credible multilateral trading system based on the principles of non-discrimination and transparency. Outward-looking development policies and export-based industrialization will not succeed if export markets are limited by restrictive barriers. The international trading system will function best in an environment of growth and dynamism in the world economy, an environment to which the system itself will contribute, but it needs to be strengthened further in the 1990s by specific actions and measures.

47. Policies and measures in the area of international trade must be directed, in the first place, at arresting and reversing trends, particularly apparent during the 1980s, towards the erosion of the multilateral trading system as a result of unilateralism, bilateralism and protectionism. The international organizations in the field of trade should be strengthened to play their part in the achievement of this objective. Many new issues that reflect the changing nature of the world economy are pertinent to the evolution of the international trading system. But the strengthening of the trading system also requires the resolution of a number of ongoing issues, some of which are of special interest to developing countries and are crucial to the development process.

48. The acceleration of development in the decade of the 1990s should, *inter alia*, be supported by the following actions and measures in the field of international trade:

(*a*) Full and effective implementation of the commitment to halt and reverse protectionism, as undertaken in the Ministerial Declaration on the Uruguay Round of multilateral trade negotiations.[43] Protectionist trends of the 1980s have an adverse impact on the world economy and on the development process and performance of the developing countries and should not continue in the 1990s. Recourse to non-tariff barriers of various kinds, which has tended to increase in recent years, has affected the exports of developing countries;

(*b*) Trade liberalization and a sustained improvement in the access of developing country exports to the markets of both developing and developed countries through the reduction and removal of tariff and non-tariff barriers. Rapid structural adjustment in the developed countries in line with shifting comparative advantages will facilitate market access for the growing export capabilities of developing countries that arise in the course of their economic transformation. The rules of the international trading system recognize the need for differential and favourable treatment of developing countries in the context of the other principles set out in the Ministerial Declaration on the Uruguay Round. This need should be reflected in the functioning of the system;

(*c*) Liberalization of trade in tropical products and natural resource-based products. This should include ending the escalation in tariffs on processed primary products;

(*d*) Bringing trade in textiles under the normal rules of the General Agreement on Tariffs and Trade;

(*e*) Progressive and substantial reduction of support and protection in the field of agriculture;

(*f*) Effective implementation and appropriate improvement of the generalized system of preferences, expansion of product coverage, duty-free treatment and adherence to the principles of non-reciprocity and non-discrimination in its application;

(*g*) Measures to ensure that regional economic integration and the formation of trade blocs will not impede the growth of world trade and are in conformity with the rules of the General Agreement on Tariffs and Trade. In particular, it is necessary to ensure that such developments do not result in additional barriers to developing country exports;

(*h*) Strict adherence to the rules and principles of the General Agreement on Tariffs and Trade by all contracting parties.

49. Developing countries should endeavour to liberalize their trade régimes in ways consistent with their development objectives so as to improve the efficiency and flexibility of their economies and their participation in the world economy. They should create trade opportunities among themselves and promote more rapid industrialization, in particular through the effective implementation of the Global System of Trade Preferences. There is great potential for economic integration among developing countries, and new efforts should be made during the 1990s to establish effective subregional and regional market arrangements among them.

50. The successful and balanced conclusion of the Uruguay Round of multilateral trade negotiations, which aims at strengthening the international trading system, is crucial for progress in the 1990s. The treatment of new issues, hitherto outside the scope of the rules of the system, should take account of the development dimension and of the need for developing countries to build up their own capabilities. The dialogue and negotiations about required improvements in the international trading system should be continued and expanded in the 1990s. The dialogue should focus, *inter alia*, on an equitable balance of interest between developed and developing countries, the adaptation and reform of the system to ensure its relevance to the changing patterns of international trade, and the need to ensure greater co-ordination between international trade and financial policies.

Commodities

51. The terms of trade of the developing countries are an important aspect of the international economic environment for development. The depressed levels of commodity prices and earnings of developing countries from commodity exports were an important element in the slowing down of the development process in many developing countries in the 1980s. Technological change played some part in depressing the long-term trend of demand for certain commodities. But slow growth and instability in the world economy and persistently high supplies were factors of critical importance. Commodity exports will continue to play a key role during the 1990s in the economies of most developing countries and will remain crucial to their export earnings and livelihood. For these countries, the reactivation of development during the decade will prove difficult in the face of continued weakness in their commodity sectors and terms of trade and will require a flexible response on the supply side to changing market conditions. The Strategy must aim at better functioning of commodity markets with greater transparency and more stable and predictable conditions. There is scope for improving international commodity policies in a number of ways.

52. The Integrated Programme for Commodities sought to improve the functioning of commodity markets through commodity agreements between producers and consumers, with support from the Common Fund for Commodities. The negotiation and renegotiation of such agreements proved difficult in the rapidly changing world economy of the 1980s, and a number of existing agreements broke down. There has been hardly any lasting improvement in most commodity markets since then, and the need for remedial action remains urgent. Commodity agreements between producers and consumers that improve the stability, transparency and functioning of markets and reflect long-term market trends benefit both producers and consumers, and efforts should be made to negotiate or renegotiate agreements of this type in the 1990s. The first window of the Common Fund was established for the specific purpose of supporting such international commodity agreements.

53. The diversification of the economies of developing countries and their increased participation in the processing, marketing and distribution of their commodities is of the utmost importance. The second window of the Common Fund for Commodities should be effectively used in this regard, particularly for technical assistance and for commodity-specific programmes for horizontal and vertical diversification, especially for the least developed countries. The diversification process should also be supported through the provision of improved market access for primary and processed commodities. Co-operation among developing countries could also play a significant role in the processing, transportation and marketing of commodities.

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[43] See *GATT, Focus Newsletter, No. 41*, October 1986.

54. Compensatory financing is an important means of cushioning developing countries, in particular the least developed countries, against commodity-related shortfalls in export earnings. Existing compensatory financing schemes, particularly the Compensatory and Contingency Financing Facility of the International Monetary Fund, should be strengthened as appropriate.

2. *Science and technology, industrial policies and measures, agriculture*

55. A solution to the debt problem, adequate resource flows and a supportive environment in the areas of international trade and commodity markets are among the prerequisites for the reactivation of development during the 1990s. But a sustained acceleration of the development process will not take place unless developing countries modernize and transform their industrial and agricultural sectors and participate in the progress made possible by advances in science and technology. National policies in these areas must reflect the particular situations. But many issues have strategic aspects that are widely relevant. These are set out in the paragraphs that follow, as a guide both to national efforts and to the support that is possible and needed through international development co-operation. In virtually all areas of effort, there is scope and need for supportive financial and technical assistance from donor Governments, multilateral lending institutions and international agencies. There are also possibilities and requirements for co-operation among developing countries.

Science and technology

56. The reactivation of development in the decade of the 1990s on a sustained basis will be linked to the ability of the developing countries to participate in the rapid advances in science and technology that have characterized the global economy in recent years and will continue in the future. Knowledge is today a crucial determinant of economic progress. The knowledge gap between the developed and the developing countries has been widening, and policies and measures are needed to help narrow it over the coming decade. High priority must therefore be given by the developing countries to raising their endogenous capacities and capabilities in this area.

57. Development and modernization in a setting of rapid advances in science and technology call for the establishment and strengthening of scientific cadres and for upgrading the skills of the work force. Developing countries, in their plans and policies, should emphasize policies and measures that enhance their scientific and technological capability and should devote adequate resources to that end. Such policies must range from the expansion and adaptation of their educational systems, including vocational education, to the building up of scientific and technological research and development capabilities.

58. Policies and measures in this field should seek to enhance the capacity of developing countries to utilize scientific and technological developments from abroad, as well as to modify and adapt them to suit local conditions. Such policies should also aim at traditional technologies that are capable of being developed as a means of raising productivity.

59. Building the scientific and technological capability of developing countries calls for external assistance in research and development, in the establishment and strengthening of institutions in the area of science and technology, in the diffusion of new technologies and in the training of scientific cadres. Developing countries should not be discriminated against with regard to commercial access to science and technology for development purposes. Commercial channels for the import of technology, including direct foreign investment, are especially relevant and should be utilized on suitable terms and conditions. In addition, with respect to access to and transfer of technology on concessional and preferential terms, in particular to developing countries, effective modalities should be examined with a view to implementing and enhancing such access and transfer as much as possible.

60. The international community should also review ways in which the intellectual property system can promote more effectively the economic and technological development of all countries, particularly the developing countries, and in which intellectual property can be effectively protected. Work on the international code of conduct on the transfer of technology should also be completed.

61. There is considerable scope for co-operation among developing countries in the development of science and technology. The developing countries could help each other through the establishment of common institutions and centres for research and training, the pursuit of joint projects for technological research and development, the offer of facilities for education in science and technology among themselves and the exchange of information. Science and technology must be given a prominent place in schemes for co-operation among developing countries at the global as well as at the regional and subregional levels.

Industrial policies and measures

62. An acceleration in the process of industrialization must be a central element in the economic transformation of most developing countries and in the reactivation of development in the 1990s. Given the limits to agriculture as a means of providing increased employment and additional external earnings, industrialization becomes indispensable for sustained economic growth and social development. It is also through industrialization that developing countries could make use of many of the opportunities provided by advances in science and technology and by international markets. Policies and measures to promote industrialization must thus be a major plank in the Strategy.

63. Some notable exceptions apart, manufacturing industry stagnated in many developing countries during the 1980s. These countries experienced a chronic underutilization of existing industrial capacity, a lack of maintenance, import constraints and technological obsolescence. These problems were at times compounded by mismanagement. For these countries, the rehabilitation of their industrial sectors and an end to the underutilization of capacities must be objectives of priority. The rate of industrialization will obviously vary among countries, but for many countries, especially for those where manufacturing industry was set back in the 1980s, historical experience suggests that the objective should be to raise it significantly, say, to 8 to 10 per cent.

64. Industrial progress requires investments directly related to increasing manufacturing capacity. It is also dependent on an improved and modernized infrastructure in such areas as communications and transport, power and banking and finance. It is dependent, too, on a supportive policy framework in the fiscal and monetary fields. Not least, it is crucially dependent on managerial and technical skills and on a trained and efficient work-force. Industrial development must also make use of linkages with other sectors of the economy, particularly the rural sector, which could supply both materials and markets for industrial growth. These subjects must form an integral part of the policies and measures that developing countries need to take for industrial progress during the decade. But there are also certain other major issues of policy that are central to faster progress in industrialization and that may call for new orientations. These are outlined below.

65. One such issue concerns the relative roles of the public and private sectors. In the past, many developing countries, anxious to speed up industrialization and faced with a weak and inexperienced private sector, sought to establish manufacturing enterprises owned and run by governmental entities and enjoying a high degree of protection. Experience has shown that there can be limitations to such an approach, particularly when administrative capacities are strained. State-run enterprises can be hampered by bureaucratic rigidity and inefficiency, and lack flexibility, competitiveness and innovative power. The capabilities of the private sector have grown in many countries and there is considerable scope for enhancing the contribution that private enterprise can make to a dynamic process of industrialization. Entrepreneurship should be encouraged at all levels for the setting up of industries. There is usually a strong potential for the development of medium- and small-scale industries that could also contribute to enlarging both urban and rural employment opportunities. Where industries are under public ownership, efficiency should be improved through measures that increase their flexibility and their ability to respond to changing conditions.

66. Another issue is that of industrial production for exports as against production for the domestic market and import substitution. The establishment of industries supplying domestic markets is desirable because of market proximity, linkages with other sectors and reduced dependence. But there are often limits to the scope for import-substituting industries, particularly where markets are small. In these cases, policies based excessively on import substitution supported by highly protective barriers result in high cost and inefficiency. Production for export is a means of overcoming these limitations. It becomes a virtual imperative where the scope for additional agricultural exports is limited. It is also a means of keeping step with technological progress and of closer integration with global markets, since exports call for efficiency and competitiveness.

67. The goal of industrialization calls for the building up of domestic ownership and national managerial and technological capabilities. But direct foreign investment can make an important contribution to industrialization. Such investment not only provides additional resources, but is also a means of having access to modern technologies, skills and markets. The rules and regulations of developing countries should encourage direct foreign investment in ways in which mutual interests are furthered. The constraints to the flow of external resources from other sources give added importance to direct foreign investment as a means of augmenting this flow.

68. The progress of industrialization in developing countries, and of outward-looking development in general, is closely related to openness and non-discrimination in international markets. The implementation of the measures needed in this area, as set out in the section on international trade, such as the lowering of tariff and non-tariff barriers and measures to further structural adjustment in the developed countries, form an important part of the strategy for industrialization.

69. Industrial progress in developing countries can also be significantly enhanced through co-operation among such countries at the global, regional and subregional levels. The integration of markets of developing countries, the setting up of joint ventures and programmes for training and upgrading skills must be among the objectives of policies and measures to promote industrialization during the 1990s.

Agriculture

70. For many countries, agriculture, with its large contribution to the national economy, will remain the principal means for the revitalization of economic growth during the 1990s. To the extent that countries depend on the export of agricultural commodities to world markets, progress will be closely related to the implementation of the measures outlined earlier for strengthening international trade in commodities. But agricultural production in the developing countries also meets the production requirements for the domestic market for food and other products of both the farming and the non-farming population. The acceleration of development calls, therefore, for a special focus on policies and measures aimed at raising agricultural output and at strengthening food security and self-reliance in food.

71. The transition from a traditional system of cultivation, sometimes at a subsistence level, to modernized agriculture should be the underlying aim of agricultural policy. In many developing countries, the pressures on available land are already high and there are limits to what can be achieved through an extension of the area under cultivation. Where such possibilities remain, measures could be taken to bring new land under cultivation through programmes of irrigation and land settlement, provided that adverse environmental consequences, such as could arise from excessive forest clearing, are avoided. In great part, however, progress in agriculture is heavily dependent on raising productivity on lands already under cultivation. The scope for this could be large given the gap, often wide, between current productivity and technical potential.

72. There are several important components of the policies and measures needed for raising agricultural production and productivity. An annual rate of growth of the order of 4 per cent on average in food production would make a major contribution to food security and support agro-industrial development. But the great diversity of country situations means that there is no single set of policies of general applicability. Success will often depend on the removal of key constraints, which vary greatly from country to country. However, policies and measures based on the considerations set out below will be of broad applicability.

73. Success in reaching the potential for raising agricultural productivity requires a farming population possessed of the knowledge, the incentives and the means required for this purpose. Improving the knowledge and skills of farmers calls for the diffusion of technology relating to agricultural practices and the use of improved varieties, as well as for the continued development and adaptation of technology through research. This underlines the importance both of effective extension efforts and services and of measures to enhance the capabilities of research institutions. The successful adoption of better methods and technologies is crucially dependent on incentives that link the use of superior methods to prospects for farmers to improve their standard of living. The price incentive is especially important, particularly in the context of the transition from subsistence farming to modernized agriculture. Policies that depress the prices of farm output in order to protect or subsidize living costs for the population at large are often counter-productive. A policy framework that permits more realistic prices that better reflect market situations often yields better results. Such a framework must also remove the shortcomings in marketing, distribution and storage that lead to an excessive gap between retail and farm prices.

74. Farmers must also have access to the means of raising agricultural productivity. Economic units of land and secure systems of tenure are often prerequisites for agricultural progress. Facilities for irrigation and a strong infrastructure of transport, communications and power, as well as other services that overcome the remoteness of rural areas, are among the others. A strong network of rural banking and credit is also vital to help farmers procure inputs and make the investments needed for raising production.

75. Policies and measures aimed at raising agricultural production need to take account of the linkages between agriculture and other sectors of the economy. The link with the industrial sector is especially important, since industry is a source of farm inputs and of consumer goods for the rural population, as well as a source of demand for agricultural products. Agro-industries located in rural areas can provide both a stimulus to agriculture and a source of employment for underutilized labour. In a more general sense, there is also a close link between the productivity of farmers and the extent and quality of educational and health services and of housing available to the rural population.

76. There is often considerable potential for improving the contribution of women to agricultural progress. In most developing countries, women form an important part of the active farming population and of the agricultural labour force. Policies and measures to increase their productivity and involve them more in key decisions should raise their contribution to output and their incomes. Schemes for rural self-help and for the mobilization of labour for community development and for the upgrading and maintenance of the rural infrastructure can also play an important part in the drive for agricultural progress.

77. A number of steps are also needed at the international level. Finance for investments in the agricultural sector and technical assistance should form part of programmes for development co-operation, both bilateral and multilateral. Developing countries should have assured access to advances in such fields as biotechnology and genetic engineering, at appropriate costs. The removal of existing distortions in international trade in agriculture is also essential. In particular, the achievement of this objective requires that there be substantial and progressive reduction in support and protection of agriculture—covering internal régimes, market access and export subsidies—in order to avoid inflicting large losses on the more efficient producers, especially in developing countries. Special importance is attached to the successful outcome and effective follow-up of the Uruguay Round in the areas of agriculture, tropical products and natural resource-based products, taking account of the needs of the net food-importing developing countries.

B. PRIORITY ASPECTS OF DEVELOPMENT

78. An acceleration in the rate of economic growth is an essential objective for the 1990s. It is a condition for expanding the resource base of the developing countries and hence for economic, technological and social transformation. But economic growth by itself does not ensure that its benefits will be equitably distributed or that the physical environment will be protected and improved. Yet, if poverty persists or increases and there is neglect of the human condition, political and social strains will grow and endanger stability in the 1990s and beyond. Similarly, if environmental damage and degradation increases, the natural resource base of the developing countries and the welfare of populations will be harmed and progress in development itself will become unsustainable. The Strategy must therefore give special attention to the policies and measures needed in the areas of poverty alleviation, human resource development and the environment. It must also pay special attention to the related areas of population growth and the elimination of hunger. The decade of the 1990s must witness a significant improvement in the human condition everywhere and establish a mutually reinforcing relationship between economic growth and human welfare. The need to strengthen this relationship is, in fact, a principal theme of the present Strategy. It has not only to be reflected in national efforts but must also be promoted by the international community through financial and technical support.

1. *Eradication of poverty and hunger*

79. The international community, noting the severity of problems related to poverty in developing countries, agrees that the objective of eradicating poverty is of the highest priority. It is encouraging that a

broad consensus is emerging on strategies to be pursued towards the achievement of this goal.

80. The goal of eradicating poverty calls for policies and measures on two broad fronts. It calls, in the first place, for a style of development in which economic progress is distributed as widely as possible and not concentrated excessively on a few localities and sectors or limited groups of the population. It also requires, to the extent that poor and vulnerable sections of the population are not reached by this process, special and supplementary programmes and actions that are directly targeted to bring benefits to these groups.

81. The generation of employment and income through productive occupation is a major means of eradicating poverty since the absence of adequate income owing to landlessness or the lack of opportunities for work is a prime cause of poverty. Development programmes and processes that provide employment on a large scale are thus an essential need. The sectors and regions in which development takes place and the technologies adopted must be such as to have a significant impact on employment. This must be an important consideration in establishing the balance between growth in the agricultural, industrial, construction and service sectors. The creation of employment and income through the activation of the informal sector of the economy and through the expansion of self-employment activities should also be an important part of policies to improve income and eradicate poverty.

82. Progress in development, even when occurring on a broad front, might still bypass significantly large sections of the population, particularly the poorest and most vulnerable. Special programmes and measures that are aimed directly at increasing their real income are thus likely to prove necessary. These could include the provision of cheap and subsidized food and other essentials, as well as income support for the poorest and the destitute. They could also include programmes of training and of mobilization of labour for local self-help and community development as well as for production. Such programmes establish a link between activities aimed at the eradication of poverty and productive activities. The provision of facilities at low cost in such areas as health, education and transport is also a means of raising the real income of the poor. Measures to relieve homelessness or poor housing should be another major aspect of poverty eradication programmes. The increase in the number of homeless people in many developing countries has been one of the serious manifestations of the deteriorating human condition, and the improvement of human settlements as agreed in the Global Strategy for Shelter to the Year 2000[3] should be part of the crucial effort in this field.

83. Women and children are a particularly vulnerable group in situations of poverty. Policies and measures for poverty eradication should have a particular focus on their needs and give special attention to maternal and child health care and to nutrition. Food security is also a major aspect of the fight against hunger and poverty and calls for an integrated approach to food production and consumption.

84. Policies and measures that are specifically directed at poverty eradication must carefully target that part of the population which is in need. Subsidized facilities and services that are general in scope and bring benefits to groups that are not in need are normally costly and impose excessive strains on the limited resources available to developing countries. Subsidies of a general nature could also contribute towards distorting prices and may, as in the case of food, have adverse effects on incentives for domestic production.

85. Developing countries need not await the transformation in per capita income to do away with the extremes of poverty, particularly hunger and destitution. Some developing countries with low per capita incomes have succeeded in obtaining relatively good results in the social field. In the long run, however, economic growth is needed to raise living standards and eliminate poverty. Long periods of stagnation or low growth might make unsustainable the initial gains in the social area.

86. The struggle against poverty is the shared responsibility of all countries. The eradication of poverty, as well as broad humanitarian and social goals, such as advancement in the quality of development, broad participation, larger choice and better opportunities for all men and women, need and should have the full support of the international community. A substantial reduction in hunger and malnutrition is within reach. There is considerable scope for international food aid going beyond emergency situations. Member States must give effect to agreements already reached to make all efforts to meet four goals during the decade:

(*a*) The elimination of starvation and death caused by famine;

(*b*) A substantial reduction in malnutrition and mortality among children;

(*c*) A tangible reduction of chronic hunger;

(*d*) The elimination of major nutritional diseases.

2. *Human resource and institutional development*

87. Human resource development has the closest of interactions with the process of economic and technological transformation. In a broad sense, it covers a wide range of activities that release the creative potential of the individual and determine the style of development. Each country has to choose its approach to human resource and institutional development in accordance with its national priorities, values, traditions and cultures and stage of development. Education and health are, however, essential aspects of human resource development and must receive special attention.

88. Education is both a basic human need and a prerequisite for the achievement of the other objectives of development. The educational skills of the labour force determine to a large extent a country's competitive strength and its capacity to adjust to new and sophisticated technologies. In a number of developing countries, expenditure on education declined in absolute or relative terms during the 1980s against the background of a worsening economic situation, and there was a resulting deterioration in the quality of education. Attention needs to be given, in the light of country situations, to each of the aspects of the educational system. The eradication of illiteracy needs special emphasis, including its eradication among women. A target of reducing adult illiteracy by at least one half during the decade has already been set by the international community. But a sound base of primary and secondary education is a basic requirement. Policies and measures in this area must provide for the relatively rapid increase in the school-age population that accompanies the growth of population common to most developing countries. In fact, the goals for the decade of providing universal access to basic education and of the completion of primary education by at least 80 per cent of the school-age group have been internationally accepted. This calls for adequate resources, both financial and administrative, capital and current, for the provision of facilities and materials and for the recruitment of teachers. At the same time there is a need to ensure that the expansion of the educational base does not result in a deterioration of quality and is supported by policies to train and retain teachers. The content of education at the primary and secondary level must also be relevant to a country's need for economic, social and political progress. In the framework of action to meet basic learning needs, it is important to ensure the speedy implementation of the World Declaration on Education for All, adopted by the World Conference on Education for All.[44]

89. The increasingly important role that knowledge plays in determining economic progress in a rapidly changing global environment of science and technology gives a new urgency to upgrading and transforming the scientific, technological, entrepreneurial and managerial aptitudes of the population. This calls for an emphasis on higher education and on the development of the institutional base for the training of skilled cadres as well as for vocational training. It also calls for policies and incentives that are conducive to retaining skilled personnel in their countries on a voluntary basis. The skills of the work force at all levels may well be the key to progress in the 1990s and beyond.

90. In the field of health services, special attention needs to be given to primary health care and the prevention of chronic diseases, as well as to general development objectives such as sanitation, safe drinking-water and nutrition. This will help relieve the strains on the curative medical system to which increasing numbers tend to have recourse as a result of population growth, education and social change. Policies and measures in the field of health need to give special attention to women and children. Several targets for the decade have already been agreed upon by the international community. These include the reduction of under-five mortality rates by one third or 70 per 1,000 live births (whichever saves more lives); the reduction of malnutrition among children under five by one half; and the halving of maternal mortality rates. The participatory and environmental as-

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[44] *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990*, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix 1.

pects of health care should be emphasized in the design of programmes. There should also be a special focus on preventing the spread of epidemics and other diseases that are endemic in many developing countries. Urgent steps also need to be taken for the control and prevention of acquired immunodeficiency syndrome (AIDS).

91. As in the field of education, policies and measures for health must give increased attention to institution-building and the training of skilled health personnel at all levels. Here again, conditions have to be created that encourage the retention of skilled cadres.

92. Human resource development could also be promoted by co-operation among developing countries. Developing countries could benefit by opening to each other their centres of quality for higher education and training. They could benefit by the exchange of teachers and of personnel in the field of health and by the sharing of experiences. They could also profit from the joint operation and management of institutions for human resource development, particularly at the regional and subregional levels.

93. The developed countries have an important role to play in promoting human resource and institutional development. Apart from investment support and technical assistance for the supply and use of equipment and for curriculum development, a major contribution can be made by the developed countries through the provision of facilities for the training of skilled cadres. Education abroad has always played an important part in training in developing countries. But in the 1990s and thereafter, its role can be vastly enhanced because of rapid developments in the field of knowledge and the urgent need of the developing countries for larger cadres of skilled personnel. At the same time, the developing countries should be assisted in building up their own institutions for training and higher education. As development progresses, there is need for them to enhance their self-reliance in this field.

94. Human rights and human development are ends in themselves. All human resource activities are mutually reinforcing. Careful analysis, policy design and effective management in education and health programmes will be required, and the support of agencies of the United Nations system should play a vital role. Given the interrelated nature of human resource development activities, inter-agency co-ordination in education, health, nutrition, housing, employment, child welfare and the advancement of women requires close attention. There should be programmes to integrate the elderly in development.

3. *Population*

95. Population programmes should be integrated with economic goals and strategies. The 1990s will see the largest increase in the population of developing countries of any decade in history, an increase of well over 20 per cent. The decade will also witness the aging of the world population. The demographic situation varies among countries, but in most developing countries a lowering of the rate of population growth will relieve the strains on the social situation, economic growth, the environment and natural resources. Population growth rates are in fact beginning to decline in a number of developing countries. Over half of the developing countries are pursuing active policies to reduce the rate of population growth and important lessons have been learned from this experience. The education of women, improved maternity and child care and family planning services suited to the socio-cultural environment of individual countries have proved to be effective and successful instruments of population programmes and should be further pursued and strengthened. Assistance to developing countries in the area of population should be substantially increased during the 1990s. Developing countries should also intensify their efforts to allocate adequate resources to population programmes.

4. *Environment*

96. The current threat to the environment is the common concern of all. All countries should take effective action for the protection and enhancement of the environment in accordance with their respective capacities and responsibilities and taking into account the specific needs of developing countries. As the major sources of pollution, the developed countries have the main responsibility for taking appropriate measures urgently. The economic growth and development of developing countries are essential in order to address problems of the degradation and protection of the environment. New and additional financial resources will have to be channelled to developing countries. Effective modalities for favourable access to, and transfer of, environmentally sound technologies, in particular to developing countries, including on concessional and preferential terms, should be examined.

97. The General Assembly, in its resolution 44/228 of 22 December 1989, has set important goals for the United Nations Conference on Environment and Development in 1992. These goals need to be realized.

IV. SPECIAL SITUATIONS, INCLUDING THOSE OF THE LEAST DEVELOPED COUNTRIES

98. Over two decades ago, the United Nations adopted criteria identify the countries that were economically the weakest among the developing countries and that faced the most recalcitrant structural problems. It was recognized that those countries, designated the least developed countries, needed special support measures from the international community in their efforts to transform their economies and to improve their prospects for sustained development. In 1981, the United Nations Conference on the Least Developed Countries adopted the Substantial New Programme of Action for the 1980s for the Least Developed Countries,[45] in which a number of measures to support the development process in those countries were agreed upon. The measures included the setting of a target of 0.15 per cent of the gross national product of the developed countries for concessional aid to the least developed countries.

99. However, those very countries, and others that were among the poorest and the weakest, were the hardest hit by the difficulties that arose in the 1980s on the world economic scene. In terms of the criteria initially adopted, the number of countries falling into the category of least developed countries—instead of declining as a result of successful development—actually increased from 24 in 1972 to 41 in 1990. The measures taken by the international community to support the least developed countries did not suffice to offset the adverse factors that affected their development experience in the 1980s. In the light of developments in the world economy there is a risk that those countries will become increasingly marginalized; this risk needs urgently to be avoided.

100. The Second United Nations Conference on the Least Developed Countries was held in Paris in September 1990. It underscored the principle of shared responsibility and strengthened partnership for the growth and development of the least developed countries and called for mutual commitments and strengthened joint efforts on the part of both the least developed countries and their development partners. The programme of action adopted by the Conference[15] needs to be fully implemented. Broad requirements have been set out. The present official development assistance targets, as agreed on at the Conference, should, in the first instance, be met. Special attention is needed to facilitate increased access of exports of the least developed countries to major markets. Enhanced compensatory financing for export earnings shortfalls should be considered. Donors should take the necessary steps to provide further bilateral concessional debt forgiveness to the least developed countries. All donors are urged to implement Trade and Development Board resolution 165 (S-IX) of 11 March 1978[46] as a matter of priority in such a way that the net flows of official development assistance should be improved for the recipient. The Paris Club should consider the application of the terms agreed upon at the Toronto Economic Summit to all the least developed countries in accordance with established procedures and criteria; the Toronto options should be reviewed, taking into account the communiqué of the Houston Economic Summit; and proposals for further debt relief should be examined urgently. Financial institutions, particularly those providing non-concessional credits, are invited to give serious attention to measures to alleviate the burden of the debt that least developed countries owe to them.

101. The special development problems of the land-locked developing countries and of the island developing countries also call for special attention. Measures are needed to lift the constraints on their development arising from the special transportation and communications problems they face, from their limited internal markets and from their high degree of vulnerability to environmental damage and natural disasters.

102. These measures should aim at reducing the cost to those countries of access to and from the sea and world markets, improving the quality, efficiency and reliability of transit-transport facilities and diversifying their economies.

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[45] *Report of the United Nations Conference on the Least Developed Countries, Paris, 1-14 September 1981* (United Nations publication, Sales No. E.82.I.8), part one, sect. A.

[46] *Official Records of the General Assembly, Thirty-third Session, Supplement No. 15* (A/33/15), vol. I and corrigendum, annex I.

V. ROLE OF THE UNITED NATIONS SYSTEM

103. The organs, organizations and bodies of the United Nations system have a special responsibility for the pursuit of the goals and objectives of the present Strategy. The system has played a unique role in bringing the development issue to the attention of the international community. Through its studies on the several aspects of the development problem, both national and international, through the international conferences it has convened on major issues, through the understandings, conventions and agreements it has helped to negotiate—some of them of a legal or quasi-legal character—and not least through the technical assistance it has provided to developing countries, it has made an invaluable contribution to ideas, policies and actions in the realm of development. This role must not only continue but must be strengthened and expanded in the 1990s with the support and encouragement of Member States.

104. Virtually every aspect of the Strategy falls within the areas of concern of the various parts of the United Nations system. In many such areas and sectors, goals and targets for the coming decade and the actions needed for realizing them have already been agreed upon by Member States and are crucial to the implementation of the Strategy. The Strategy also provides guidelines for further work on the evolution of policies and programmes and on seeking agreements for new actions. Major conferences of the United Nations system are already scheduled for the initial years and there will be others in the period beyond. These will be important occasions for reaching agreements that give more specific content to the actions and commitments needed to realize the goals of the Strategy.

105. The organs, organizations and bodies of the United Nations system thus have a vital role to play in furthering the analytical work of relevance to the elaboration and implementation of the Strategy, in promoting and securing the international co-operation needed and in providing technical assistance. The work of the international system should be given greater coherence by closer inter-agency co-operation and co-ordination and by organizational measures that strengthen the contribution of the system to development. The Strategy provides an initial framework for these objectives. The review of the functioning of the United Nations system should continue to be pursued with this aim in view; all of its Member States have a responsibility for making it more effective and efficient.

106. The Secretary-General is encouraged to continue, by such means as he deems appropriate, his efforts to facilitate the solution to the debt problems of developing countries, taking into account all relevant proposals. In addition, the relevant organs and bodies of the United Nations system should undertake follow-up measures pertaining to the Uruguay Round of multilateral trade negotiations.

107. The growing interdependence in the world economy and the increasing linkages between various issues, such as money and finance, trade and development, give a new urgency to the co-ordination of macro-economic policies and management at the international level. The United Nations should play its role in this area as envisaged in the provisions of the Charter relating to the functions of the Economic and Social Council.

VI. REVIEW AND APPRAISAL

108. A process of review and appraisal should be an integral part of the Strategy so as to ensure its effective implementation. This process should be undertaken at the national level by the respective Member States. But it needs also to be undertaken within the United Nations system at the global, sectoral and regional levels. It should provide an opportunity to give the necessary political stimulus, in the light of evolving needs and developments. It must be expected that conditions in the course of the decade will change in ways that cannot now be foreseen, and there is thus a case for permanent monitoring and periodic review, allowing, when necessary, for amendments and revisions to the Strategy.

109. The recent events in the Gulf region are having repercussions on the immediate economic outlook of many countries, particularly in energy and trade balances. While it is not possible, in view of the uncertainties, to take account of them at present, it is important to keep the situation under review to determine whether in the context of the Strategy additional measures are required.

110. The organs, organizations and bodies of the United Nations system will play an important catalytic role in the implementation of the goals and objectives of the present Strategy in their respective areas of competence.

111. The machinery for continued monitoring exists: the various agencies of the United Nations system and the regional commissions issue annual reports, which, in effect, monitor the state of progress in virtually every area of international development. Governments participate in numerous debates in the specialized agencies, the Economic and Social Council and the General Assembly, in which the state of progress in international development is a major theme. In this sense, review and appraisal is already built into the procedures of the United Nations system.

112. Nevertheless, review and appraisal relating directly to the progress of the Strategy as a whole is also needed on a periodic basis. This should be carried out biennially by the General Assembly through the Economic and Social Council, with an item on the implementation of the Strategy included in their agendas. The Secretary-General should submit appropriate recommendations in order to assist in this process of review and appraisal.

45/200. Commodities

The General Assembly,

Recalling its resolution 1995 (XIX) of 30 December 1964, as amended,[47] on the establishment of the United Nations Conference on Trade and Development, Conference resolutions 93 (IV) of 30 May 1976 on the Integrated Programme for Commodities,[48] 124 (V) of 3 June 1979[49] and 155 (VI), 156 (VI) and 157 (VI) of 2 July 1983,[50] the Final Act adopted by the Conference at its seventh session, held at Geneva from 9 July to 3 August 1987,[51] and the Agreement Establishing the Common Fund for Commodities,[52] which entered into force on 19 June 1989,

Recalling also its resolutions 41/168 of 5 December 1986, 43/27 of 18 November 1988 and 44/218 of 22 December 1989,

Recognizing that commodity exports continue to play a key role in the economies of developing countries as a whole, as a major source of export earnings, investment and livelihood,

Noting that the changes in Central and Eastern Europe may have important effects on commodity production and trade and that these developments, as well as the potential for expanding South-South trade in commodities, should be fully explored,

Concerned that the problems associated with instability and shortfalls in export earnings are aggravated by commodity prices that, by historical standards, are at generally low levels,

Noting with concern that significant shortfalls in export earnings of commodities have caused serious difficulties in implementing long-term development plans and objectives, as well as in pursuing adjustment efforts,

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[47] See resolutions 2904 (XXVII), 31/2 A and B and 34/3.

[48] See *Proceedings of the United Nations Conference on Trade and Development, Fourth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.76.II.D.10 and corrigendum), part one, sect. A.

[49] *Ibid., Fifth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.79.II.D.14), part one, sect. A.

[50] *Ibid., Sixth Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.83.II.D.6), part one, sect. A.

[51] *Ibid., Seventh Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.88.II.D.1), part one, sect. A.I.

[52] United Nations publication, Sales No. E.81.II.D.8 and corrigendum.

Concerned about the difficulties experienced by developing countries in financing and implementing diversification programmes,

Bearing in mind the fact that the upstream and downstream linkages between the commodity sector and the national economy need to be strengthened in many developing countries,

Considering that a particularly important role is played by the export of commodities in the economies of the least developed countries,

1. *Takes note* of the report of the Secretary-General of the United Nations Conference on Trade and Development on world commodity trends and prospects, with particular reference to the situation of commodity-dependent developing countries;[53]

2. *Emphasizes* the importance of maximizing the contribution of the commodity sector to economic growth and transformation in commodity-dependent developing countries by ensuring that developments in the commodity sector contribute effectively to the generation of growth and development in other sectors of the economy, as well as to the eradication of poverty and, in this context, stresses the importance of the diversification efforts of commodity-exporting developing countries;

3. *Urges* the increased active participation in and better use of forums of consumers and producers as a means of exchanging information on, *inter alia,* investment plans, prospects and markets for individual commodities and as a means of facilitating direct contacts among the partners involved, and urges the establishment, where appropriate and feasible, of such forums for commodities for which they do not yet exist;

4. *Expresses its conviction* that supportive international policies to improve the functioning of commodity markets through greater transparency and to create more stable and predictable conditions in commodity trade contribute significantly to the efforts of commodity-dependent developing countries to revitalize their development;

5. *Recognizes* that, as a means of strengthening the national economies of commodity-dependent developing countries, national and international efforts should, *inter alia,* be based on the following:

(*a*) A clear assessment of both the agricultural and the minerals potential and the integration of the commodity sector in the overall development strategy;

(*b*) A better understanding and strengthened complementarity of industry and market structures and of marketing systems at both national and international levels, having regard to the advantages of regional trade;

(*c*) Increased access to finance, technologies and markets;

(*d*) The elaboration and implementation of diversification programmes, including programmes for greater self-sufficiency in food;

6. *Also recognizes* the urgent need to strengthen efforts to address the grave problem of shortfalls in the commodity-export earnings of developing countries and notes, in this regard, the outcome of the sixteenth special session of the Trade and Development Board, devoted to compensatory financing, and takes note of the decision of the Committee on Commodities of the United Nations Conference on Trade and Development that the issue of export-earning shortfalls and compensatory financing should figure as a specific issue for discussion at its next session;

7. *Stresses* that decisions on diversification are primarily the responsibility of developing countries, and emphasizes, in that context, the need for continued implementation of their diversification programmes, bearing in mind the long-term evolution of market conditions and the linkage between diversification efforts and market access, and invites developed countries, international financial institutions and other relevant organizations to extend financial support to such diversification programmes;

8. *Reiterates its conviction* that more stable market conditions for commodities would be conducive to the social and economic development of developing countries and could, *inter alia,* contribute to the international campaign against illicit production of, trafficking in and abuse of narcotic drugs, thus supporting the efforts undertaken by countries to combat such illicit activities;

9. *Urges* all the parties involved to meet their agreed commitments and to work for a balanced outcome to the multilateral trade negotiations within the Uruguay Round so as to ensure that the successful conclusion of the negotiations brings about further expansion and liberalization of trade in commodities, taking into account the special and differential treatment for developing countries, as well as all other principles contained in the Ministerial Declaration on the Uruguay Round;[43]

10. *Notes* the establishment of the Common Fund for Commodities, the voluntary contributions pledged by countries that are members of the Common Fund and the hope expressed by the member countries that further contributions will be forthcoming;

11. *Notes also* that it is the desire of the members of the Common Fund that countries, particularly major exporters and consumers of commodities, that have not yet ratified the Agreement Establishing the Common Fund for Commodities[52] should do so as soon as possible;

12. *Stresses* that international commodity agreements and arrangements can have an important role to play in resolving commodity problems, where they involve the participation of all major producers and consumers and where they are aimed at improving transparency and at better functioning of commodity markets, and, in this context, calls for the implementation of the relevant provisions of the Final Act adopted by the United Nations Conference on Trade and Development at its seventh session;[51]

13. *Urges* the Conference at its eighth session to address all aspects of commodity problems in a comprehensive manner and requests the Secretary-General of the United Nations Conference on Trade and Development to submit to the General Assembly at its forty-seventh session a report on world commodity trends and prospects, with particular reference to the situation of commodity-dependent developing countries, in the light of the outcome of the eighth session of the Con-

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[53] A/45/442 and Corr.1.

ference, bearing in mind the relevant conclusions of the Committee on Commodities at its fourteenth session;

14. *Decides* to include the question of commodities in the provisional agenda of its forty-seventh session.

71st plenary meeting
21 December 1990

45/201. Strengthening international organizations in the area of multilateral trade

The General Assembly,

Recalling the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990,

Noting the General Agreement on Tariffs and Trade and its Protocol of Provisional Application of 30 October 1947[54] and General Assembly resolution 1995 (XIX) of 30 December 1964 on the establishment of the United Nations Conference on Trade and Development,

Noting also the institutional proposals made in connection with the Uruguay Round of multilateral trade negotiations, launched during the Special Session of the Contracting Parties to the General Agreement on Tariffs and Trade, held at Punta del Este, Uruguay, from 15 to 20 September 1986, related to the strengthening of multilateral organizations in the area of international trade,

Stressing the principle of free and fair global trade, which should be conducive to a significant enhancement of the trade and development prospects of all countries, in particular developing countries,

Stressing also the need for strengthening institutional arrangements in the area of international trade, with a view to reinforcing further the multilateral trading system,

1. *Reaffirms* Economic and Social Council resolution 1990/57 of 26 July 1990, in which the Council requested the Secretary-General to report to the General Assembly at its forty-sixth session on institutional developments, taking into account all relevant proposals, related to the strengthening of international organizations in the area of multilateral trade;

2. *Requests* the Secretary-General, in preparing the report requested, to solicit the views of all Governments and the executive heads of the specialized agencies and other organizations and programmes of the United Nations system on this matter.

71st plenary meeting
21 December 1990

45/202. Specific measures in favour of island developing countries

The General Assembly,

Recalling the requests for specific action in favour of island developing countries contained in its resolutions 41/163 of 5 December 1986 and 43/189 of 20 December 1988, and in resolutions 98 (IV) of 31 May 1976,[48] 111 (V) of 3 June 1979[49] and 138 (VI) of 2 July 1983[50] of the United Nations Conference on Trade and Development, and recalling decision 86/33 of 27 June 1986 of the Governing Council of the United Nations Development Programme on the special needs of island developing countries,[55]

Recognizing that, in addition to the general problems of development, many island developing countries experience specific problems arising from the interplay of such factors as their smallness, remoteness, geographical dispersion, vulnerability to natural disasters, the fragility of their ecosystems, constraints on transport and communications, great distances from market centres, a highly limited internal market, lack of natural resources, weak indigenous technological capacity, the acute problem of obtaining fresh water supplies, heavy dependence on imports and a small number of commodities, depletion of non-renewable resources, migration, particularly of personnel with high-level skills, shortages of administrative personnel and heavy financial burdens,

Recognizing also that many of these factors occur concurrently in many island developing countries, resulting in socio-economic vulnerability and dependence, particularly in those countries which are small and/or geographically dispersed,

Noting that many island developing countries are also least developed countries and, in that context, taking note of the relevant provisions contained in the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,[15]

Recognizing that many of the problems facing island developing countries require a strengthened partnership between the countries concerned and other members of the international community,

Concerned about the adverse effects on island developing countries of sea-level rise resulting from climate change,

Taking note of the report of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990,[56]

1. *Reaffirms* its resolution 43/189 and other relevant resolutions of the General Assembly and the United Nations Conference on Trade and Development, and calls for their immediate and effective implementation;

2. *Expresses its appreciation* to States and to organizations and bodies within and outside the United Nations system that have responded to the special needs of island developing countries;

3. *Expresses its appreciation* to the Secretary-General for convening the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, as called for in paragraph 11 of resolution 43/189;

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[54] United Nations, *Treaty Series*, vol. 55, No. 814.I(c).

[55] See *Official Records of the Economic and Social Council, 1986, Supplement No. 9* and corrigendum (E/1986/29 and Corr.1), annex I.

[56] A/CONF.147/5-TD/B/AC.46/4.

4. *Takes note* of the text entitled "Challenges and opportunities: A strategic framework", which was adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations;[57]

5. *Welcomes* the efforts made by island developing countries to adopt policies that address their specific problems, including efforts to promote regional co-operation and integration, and calls upon those countries to pursue additional measures, in accordance with their national objectives, policies and priorities, to make their economies less vulnerable to the adverse consequences of their specific situations;

6. *Calls upon* the island developing countries to continue to adopt suitable development policies designed to overcome their specific vulnerabilities, in particular through the promotion of an integrated approach to their development process in such areas as development of human resources, expansion of physical and institutional infrastructure, exploitation of resources and diversification of the production base;

7. *Also calls upon* island developing countries to adopt measures aimed at protecting and rehabilitating their fragile environment and ecosystems;

8. *Urges* the island developing countries to promote regional co-operation arrangements in such areas as disaster prevention, inter-island transport feeder services and security;

9. *Appeals* to the international community:

(*a*) To maintain and, if possible, increase the level of concessional financial and technical assistance provided to island developing countries;

(*b*) To maximize access of island developing countries to concessional financial and technical assistance by taking into account the specific development needs and problems facing those countries;

(*c*) To consider reviewing the mechanisms of existing procedures used in providing concessional resources to island developing countries, taking into account their situations and development potential;

(*d*) To ensure that assistance conforms to the national and, as appropriate, regional priorities of island developing countries;

(*e*) To provide support to island developing countries over a mutually agreed and, where appropriate, longer time-frame to enable them to achieve economic growth and development;

(*f*) To continue to ensure that a concerted effort is made to assist the island developing countries, at their request, in improving their institutional and administrative capacities and in satisfying their overall needs with regard to the development of human resources;

(*g*) To consider improving existing arrangements for assisting island developing countries in addressing the adverse effects on their export earnings;

10. *Recommends* that the relevant organizations of the United Nations system take adequate measures to respond positively to the particular needs of island developing countries and report on such measures, as appropriate;

11. *Urges* the United Nations Conference on Trade and Development to strengthen its role as the focal point for specific action at the global level in favour of island developing countries and to act as a catalyst in this regard, *inter alia*, by organizing and facilitating the cross-regional interchange of information and experience in full co-operation with regional and subregional organizations, both within and outside the United Nations system, as appropriate;

12. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to continue to carry out activities to identify specific problems and recommend specific measures for island developing countries, taking into account the work already done on this issue within the inter-agency framework called for in paragraph 10 of resolution 43/189, in particular in areas such as the applicability of current socio-economic indicators to island developing countries, transport and the impact of natural disasters;

13. *Also requests* the Secretary-General of the United Nations Conference on Trade and Development to provide, from existing or from extrabudgetary resources, technical advisory services to the island developing countries to assist them in the following areas:

(*a*) Periodic review of their socio-economic performance;

(*b*) Assessment and exploitation of marine potential;

(*c*) Development of inter-island transport services;

(*d*) Development of the statistical socio-economic database to improve planning capacities;

14. *Further requests* the Secretary-General of the United Nations Conference on Trade and Development to consider the convening of periodic meetings of governmental experts and donor countries and organizations in order to facilitate a review of developments in respect of island developing countries;

15. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to monitor, in co-operation with the appropriate international organizations, especially the relevant regional institutions, the progress made in the implementation of measures taken at the national and international levels;

16. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/203. Trade and Development Board

The General Assembly,

Recalling its resolution 1995 (XIX) of 30 December 1964, as amended,[47] on the establishment of the United Nations Conference on Trade and Development, the Final Act adopted by the Conference at its seventh session, held at Geneva from 9 July to 3 August 1987,[51] and the Declaration on the twenty-fifth anniversary of the United Nations Conference on Trade and Development, contained in Trade and Development Board resolution 376 (XXXVI) of 13 October 1989,[58] as endorsed by the General Assembly in resolution 44/19 of 14 November 1989,

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[57] *Ibid.*, chap. II.

Recalling also its resolution 44/219 of 22 December 1989 on the report of the Trade and Development Board,

Considering Trade and Development Board resolution 388 (XXXVII) of 17 October 1990 on debt and development problems of developing countries[59] as part of the continuing contribution of the Board to the search for a durable solution to the problem of the external indebtedness of developing countries,

Noting that the *Trade and Development Report, 1990*[60] constitutes a further valuable effort to enhance understanding of the interdependence of the problems of trade, development finance and the international monetary system and the consideration by the Board of the debt and development problems of the developing countries,

Stressing that the Uruguay Round of multilateral trade negotiations, launched during the Special Session of the Contracting Parties to the General Agreement on Tariffs and Trade, held at Punta del Este, Uruguay, from 15 to 20 September 1986, presents a unique opportunity to contribute to a more open, viable and durable trading system, and recognizing that the Uruguay Round cannot be concluded in whole or in part without a substantial and balanced outcome in all areas involved, including areas of particular importance to developing countries,

1. *Takes note* of the report of the Trade and Development Board on the second part of its thirty-sixth session and the first part of its thirty-seventh session[61] and urges member States to give full effect to the provisions of the resolutions and decisions adopted by the Board;

2. *Welcomes* the agreement reached on the substantive item of the provisional agenda for the eighth session of the United Nations Conference on Trade and Development;[62]

3. *Notes* the contribution made by the Trade and Development Board to the understanding of the interdependence of problems of trade, development finance and the international monetary system, taking into account the needs of developing countries, welcomes Board resolution 387 (XXXVII) of 17 October 1990 on that subject[59] and urges all Governments to give full and prompt effect to the recommendations contained therein;

4. *Affirms* that the outcome of the Uruguay Round of multilateral trade negotiations should be conducive to a significant enhancement of the prospects for trade, economic growth and development of all countries, especially developing countries, in particular through the provision of substantially increased market access for exports;

5. *Urges* all countries to fulfil their responsibilities in strengthening the rules and disciplines of the multilateral trading system for the benefit of all countries and, to this end, urges all participants to continue the Uruguay Round of multilateral trade negotiations and to adopt a constructive and comprehensive approach thereto in order to achieve a successful and balanced outcome in accordance with the Ministerial Declaration on the Uruguay Round;[43]

6. *Affirms* the need for the outcome of the Uruguay Round to contribute positively to building up and strengthening the infrastructure and technological capacities of the developing countries through the strengthening of the multilateral trading system;

7. *Invites* the United Nations Conference on Trade and Development, at its eighth session, to analyse and assess the outcome of the Uruguay Round, in particular in areas of interest or concern to developing countries;

8. *Urges* developed countries to promote policies and adopt measures aimed at providing substantially larger export possibilities to developing countries, especially through improved access to markets, in order to support necessary trade policy reforms and structural adjustment processes in developing countries;

9. *Invites* the United Nations Conference on Trade and Development and the Trade and Development Board, as appropriate, to continue to follow closely and analyse developments that have a major impact on international trade relations, including economic integration and policy reform in the world economy, technological change and the growing linkage between flows of investment and trade;

10. *Welcomes* Trade and Development Board decision 384 (XXXVII) of 12 October 1990 on the contribution of the United Nations Conference on Trade and Development, within its mandate, to sustainable development,[59] and requests the Conference secretariat to continue to co-operate with the secretariat of the United Nations Conference on Environment and Development in the preparations for that Conference;

11. *Also welcomes* Trade and Development Board resolution 380 (XXXVI) of 23 March 1990[61] and invites the Board to follow closely developments and issues related to economic integration processes, especially those with a major impact on the trade and development of the developing countries;

12. *Further welcomes* Trade and Development Board decision 385 (XXXVII) of 12 October 1990 on economic co-operation among developing countries[59] and supports the efforts of the United Nations Conference on Trade and Development, as the principal organization in the United Nations system dealing with economic co-operation among developing countries, to promote and expand such co-operation.

71st plenary meeting
21 December 1990

45/204. International code of conduct on the transfer of technology

The General Assembly,

Recalling its resolution 44/216 of 22 December 1989 on an international code of conduct on the transfer of technology,

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[58] *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 15* (A/44/15), vol. II, sect. II.A.

[59] *Ibid., Forty-fifth Session, Supplement No. 15* (A/45/15), sect. III.B.

[60] United Nations publication, Sales No. E.90.II.D.6.

[61] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 15* (A/45/15).

[62] *Ibid.*, sect. III.B, para. 28.

1. *Takes note* of the report of the Secretary-General of the United Nations Conference on Trade and Development on the negotiations on a draft international code of conduct on the transfer of technology;[63]

2. *Invites* the Secretary-General of the United Nations Conference on Trade and Development and the President of the United Nations Conference on an International Code of Conduct on the Transfer of Technology to carry out further in-depth consultations with regional groups and Governments on the draft code of conduct, in conjunction with the appropriate intergovernmental bodies of the United Nations Conference on Trade and Development, in early 1991;

3. *Also invites* the Secretary-General of the United Nations Conference on Trade and Development to submit to the General Assembly at its forty-sixth session a report based on the outcome of the consultations, so as to enable the Assembly to take appropriate action on the negotiations on the draft code of conduct.

71st plenary meeting
21 December 1990

45/205. Eighth session of the United Nations Conference on Trade and Development

The General Assembly,

Recalling its resolution 1995 (XIX) of 30 December 1964, as amended,[47] on the establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly,

Recalling also its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Recalling further its resolutions 42/175 of 11 December 1987, in which it welcomed the Final Act adopted by the United Nations Conference on Trade and Development at its seventh session, and 44/19 of 14 November 1989 on the twenty-fifth anniversary of the establishment of the United Nations Conference on Trade and Development,

Bearing in mind its resolution 40/243 of 18 December 1985 on the pattern of conferences,

1. *Welcomes with deep appreciation* the generous offer of the Government of Uruguay to act as host to the eighth session of the United Nations Conference on Trade and Development at Punta del Este;

2. *Decides* to convene the eighth session of the Conference at Punta del Este from 21 September to 8 October 1991, to be preceded by a two-day meeting of senior officials at Punta del Este on 19 and 20 September 1991;

3. *Notes* the approval by the Trade and Development Board of the substantive item of the provisional agenda for the eighth session of the Conference;[62]

4. *Requests* the Trade and Development Board to undertake the necessary intergovernmental preparations for the eighth session of the Conference and, at the second part of its thirty-seventh session, to agree on organizational arrangements for the eighth session of the Conference that will encourage ministerial participation, particularly in the conclusion of its work.

71st plenary meeting
21 December 1990

45/206. Implementation of the Programme of Action for the Least Developed Countries for the 1990s

The General Assembly,

Recalling its resolution 42/177 of 11 December 1987, in which it decided to convene the Second United Nations Conference on the Least Developed Countries, as well as its resolutions 43/186 of 20 December 1988 and 44/220 of 22 December 1989,

Deeply concerned at the continuing deterioration in the socio-economic situation of the least developed countries as a whole,

Reaffirming the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, in which it was stated, *inter alia,* that it would be essential to stem the increasing marginalization of the least developed countries and to reactivate their growth and development through comprehensive national action and international support measures,

Affirming the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990, in which Member States stressed, *inter alia,* the need for full implementation of the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,[15]

Recalling that the prime objective of the Programme of Action is to arrest the further deterioration in the socio-economic situation of those countries, to reactivate and accelerate their growth and development and, in the process, to set them on the path of sustained growth and development,

Reaffirming the basic principles outlined in the Programme of Action as the basis for action by the least developed countries and their development partners, including international organizations, financial institutions and development funds, to promote fundamental, growth-oriented transformation of the economies of those countries,

Recalling the solemn commitment of the international community, as contained in the Paris Declaration, adopted by the Second United Nations Conference on the Least Developed Countries,[15] to implement the Programme of Action throughout the 1990s,

Stressing that successful implementation of the Programme of Action will depend on shared responsibility and strengthened partnership for the growth and development of the least developed countries,

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[63] A/45/588.

1. *Takes note* of the report of the Secretary-General on the outcome of the Second United Nations Conference on the Least Developed Countries;[64]

2. *Endorses* the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries;

3. *Expresses its appreciation* to the Government and the people of France for acting as host to the Second United Nations Conference on the Least Developed Countries, as well as for their gracious hospitality, excellent arrangements and important contribution to the outcome of the Conference;

4. *Calls upon* all Governments, international and multilateral organizations, financial institutions and development funds, the organs, organizations and programmes of the United Nations system and all other organizations concerned to take immediate, concrete and adequate steps to implement the Programme of Action;

5. *Reaffirms* that the least developed countries have the primary responsibility for the formulation and effective implementation of national policies and priorities for their growth and development;

6. *Strongly urges* all donor countries to implement fully and expeditiously their commitments in all areas, as set out in the Programme of Action, so as to provide adequate external support to the least developed countries;

7. *Decides* that regular review and monitoring of the progress in the implementation of the Programme of Action at the national, regional and global levels should be undertaken as envisaged in the Programme of Action, and, to that end, decides also that:

(*a*) The Intergovernmental Group on the Least Developed Countries of the United Nations Conference on Trade and Development shall meet in 1995 to carry out the mid-term review of the situation of those countries, report to the General Assembly on progress made in the implementation of the Programme of Action and consider new measures as necessary;

(*b*) The Trade and Development Board shall consider, during each of its annual spring sessions, the review of progress in the implementation of the Programme of Action;

(*c*) Towards the end of the 1990s, the General Assembly shall consider holding a third United Nations conference on the least developed countries to make a comprehensive appraisal of the implementation of the Programme of Action and to decide on subsequent action;

(*d*) The organizations of the United Nations system shall undertake sectoral appraisals at regular intervals;

8. *Notes* that mechanisms such as United Nations Development Programme round tables and World Bank consultative groups will continue to constitute the backbone of the country review process and, in that context, recommends that:

(*a*) The country review groups should be organized on a more systematic basis and at regular intervals and should include all donors concerned;

(*b*) Least developed countries that do not have regular country review groups should consider adopting a country review process;

(*c*) Development partners should assist in strengthening the capacity of the Governments of the least developed countries to ensure the leadership role of those Governments in the country review process;

(*d*) Necessary links should be established between the follow-up at the national, regional and global levels;

9. *Decides* that the Conference, as part of its ongoing work, shall continue to serve as the focal point for the review and appraisal of the implementation of the Programme of Action and its follow-up at the global level, and shall continue to provide support at the national and regional levels, in co-operation with other concerned organs, organizations and agencies of the United Nations system;

10. *Decides*, in this regard, to strengthen the Special Programme for the Least Developed Countries of the United Nations Conference on Trade and Development and to provide that Programme with sufficient resources to enable the Conference to discharge effectively its mandate concerning the implementation of the Programme of Action for the Least Developed Countries for the 1990s on a timely basis and provide the secretariat services specified in the report of the Secretary-General;[64]

11. *Invites* the governing bodies of the organizations, agencies and programmes of the United Nations system to take the necessary and appropriate measures for effective implementation and follow-up of the Programme of Action within their respective spheres of competence and according to their mandates;

12. *Invites* the preparatory bodies for all major forthcoming meetings and conferences of the United Nations system to take into account the outcome of the Second United Nations Conference on the Least Developed Countries;

13. *Requests* the Secretary-General, in conformity with paragraph 142 of the Programme of Action,[15] to ensure the full mobilization and co-ordination of all organs, organizations and bodies of the United Nations system in the implementation and follow-up of the Programme of Action, in close collaboration with the Director-General for Development and International Economic Co-operation, the Secretary-General of the United Nations Conference on Trade and Development, the secretariats of the regional commissions and the lead agencies for the aid groups;

14. *Also requests* the Secretary-General, bearing in mind the role of the Director-General for Development and International Economic Co-operation in the United Nations development system and his mandate concerning the implementation of the Programme of Action, to provide the office of the Director-General with the necessary support for activities related to the least developed countries;

15. *Calls upon* all organs, organizations and programmes of the United Nations system to establish focal points for the least developed countries, where they do not already exist, and to strengthen the existing ones in order to involve them actively in the implementation tasks throughout the 1990s;

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[64] A/45/695.

16. *Invites* all Governments, the United Nations Conference on Trade and Development and other organs, organizations and bodies of the United Nations system to assist the least developed countries in undertaking consultations among themselves on matters of common interest in the context of the implementation of the Programme of Action;

17. *Urges* all Governments, international and multilateral organizations, regional economic integration organizations and relevant non-governmental organizations to continue to pay special attention to the problems of the least developed countries, and, in this regard, welcomes the initiative of the Government of Japan to hold a seminar, in collaboration with the United Nations Capital Development Fund, on the development problems of the least developed countries in the 1990s in Tokyo in May 1991;

18. *Emphasizes* the importance of economic and technical co-operation between the least developed countries and other developing countries, and, in that regard, highly recommends mechanisms of economic and technical co-operation among developing countries to strengthen the development efforts of the least developed countries and urges the development partners to assist in such activities;

19. *Calls upon* the international community to assist the landlocked and island least developed countries in coping with their special problems, in line with the relevant recommendations contained in the Programme of Action;

20. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution and also to report, on a continuing basis, on the implementation of the provisions of the Programme of Action.

71st plenary meeting
21 December 1990

45/207. Food and agricultural problems[65]

The General Assembly,

Recalling the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990,

Recalling also its resolutions on food and agricultural problems, in particular resolutions 41/191 of 8 December 1986 and 43/191 of 20 December 1988, and Economic and Social Council resolution 1989/88 of 26 July 1989 on food and agriculture,

Reaffirming the Universal Declaration on the Eradication of Hunger and Malnutrition adopted by the World Food Conference,[66]

Stressing the imperative need to keep food and agricultural issues at the centre of global attention, and their role in the reactivation of development, as was pointed out in the section on agriculture of the International Development Strategy for the Fourth United Nations Development Decade,

Reaffirming that food and agricultural problems in developing countries should be considered in a comprehensive manner in their different dimensions and in their immediate, short-term and long-term perspectives, taking into account the interaction of agricultural development with, *inter alia,* the external economic environment, policies for agricultural growth, human resources development, rural development policies and the links between natural resources, environment, population growth trends and sustainable agriculture,

Emphasizing that the continuing gravity of the economic situation in many developing countries, including the persistence of negative trends in the food production and agricultural sectors, requires, in many cases, urgent and decisive action at the national and international levels to support and ensure their full economic recovery and development,

Stressing the need for continued and additional support from the international donor community for agricultural development in developing countries, as well as the need for increased efforts and investment on the part of the developing countries in the development of their own food and agricultural sectors,

Noting with concern that the tensions concerning international trade in agricultural markets remain serious, notably owing to the persistence of all types of trade-distorting agricultural support, covering internal régimes, market access, export subsidies and sanitary and phyto-sanitary regulations in many developed countries,

Stressing that the Uruguay Round of multilateral trade negotiations, launched during the Special Session of the Contracting Parties to the General Agreement on Tariffs and Trade, held at Punta del Este, Uruguay, from 15 to 20 September 1986, presents a unique opportunity to develop a more open, viable and durable trading system, and stressing also the importance of overcoming obstacles in the negotiations and arriving at a successful, balanced and comprehensive conclusion of the Round,

Emphasizing that the long-term objective of the negotiations on agriculture is to establish a fair, market-oriented agricultural trading system and that a reform process should be initiated through the negotiation of commitments on support and protection and through the establishment of strengthened and more operationally effective rules and disciplines of the General Agreement on Tariffs and Trade,

Concerned that the economies of most developing countries continue to suffer because, *inter alia,* of the long-term adverse trends in international commodity prices, protectionism and worsening terms of trade, a growing debt-service burden and the trends in the transfer of resources to and from developing countries, which have had a negative effect on international trade and agriculture, particularly for developing countries,

Reaffirming that the right to food is a universal human right that should be guaranteed to all people and, in that context, believing in the general principle that food should not be used as an instrument of political pressure, either at the national or at the international level,

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[65] The term "agriculture" and its derivatives include fisheries, marine products, forestry and primary forestry products. See *Basic texts of the Food and Agriculture Organization of the United Nations,* vols. I and II, 1989 edition.

[66] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

Welcoming the ongoing work of the Global Information and Early Warning System on Food and Agriculture in monitoring the world food situation and in alerting the international community to impending problems,

Noting with alarm that the screw-worm fly has been introduced into North Africa and is now established, thereby posing a potential threat to people, livestock and wildlife in Africa, the Mediterranean parts of Europe and the Near East,

Welcoming the efforts made by the countries affected and the international community to contain locust and grasshopper infestations through the implementation of General Assembly resolution 43/203 of 20 December 1988 on the international strategy for the fight against locust and grasshopper infestation, particularly in Africa,

Welcoming the decision of the Conference of the Food and Agriculture Organization of the United Nations at its twenty-fifth session to reinforce the International Code of Conduct on the Distribution and Use of Pesticides,[67] with a view to enhancing the protection of health and the environment, and noting the co-operation between the Food and Agriculture Organization of the United Nations and the United Nations Environment Programme in that regard,

Noting with particular concern that hunger and malnutrition have been increasing since the World Food Conference was held in 1974, that the number of people suffering from hunger and malnutrition increased in the 1980s and that only limited progress has been made towards the central objective of the Conference,

1. *Welcomes* the conclusions and recommendations of the World Food Council at its sixteenth ministerial session, held at Bangkok from 21 to 24 May 1990,[68] in particular the pragmatic action recommended for meeting the growing challenges to fight hunger and malnutrition in the 1990s, and calls upon Governments and international and non-governmental organizations fully to assist the World Food Council in implementing the recommendations;

2. *Takes note* of the report of the Secretary-General on trends in the international market for agricultural and tropical products and the liberalization of international agricultural trade;[69]

3. *Stresses* the urgent need for substantial progress in stimulating food production and productivity in developing countries and the importance of increasing domestic food production, thereby stimulating national economic growth and social progress in those countries, in particular in Africa and the least developed countries, and helping to resolve the problems of hunger and malnutrition effectively;

4. *Affirms* that increasing food production and improving access to food by low-income people in developing countries will significantly contribute to the eradication of poverty and the elimination of malnutrition, and recommends that higher priority be given to supporting food production and to developing a marketing infrastructure and income/employment generation in the national development efforts of those countries in order to ensure adequate food supplies and equitable distribution of food;

5. *Stresses* that it is important for developing countries to create a basis for more rapid industrialization and diversification of their economic structure with a view to increasing their food and agricultural production, and, in that context, stresses the importance of finance for investment in the agriculture sector, which should form part of national policies and programmes for international co-operation, both bilateral and multilateral;

6. *Also stresses* the importance of science and technology in the development of agriculture, in the increase of food production and in the modernization of agriculture, and, in that context, calls upon the international community to support scientific and technological training and research in developing countries in order to promote sustainable agricultural development in those countries, and emphasizes the urgency of strengthening international co-operation in the field of transfer of environmentally sound agricultural technologies and of facilitating the free exchange of information on experience and technology relating to food production, processing and storage, taking into account the need for developing countries to have assured non-discriminatory access to advances in such fields as biotechnology and genetic engineering, at appropriate cost;

7. *Urges* the members of the international community to take further determined action in support of the efforts of developing countries by increasing even more the flow of resources, including concessional flows designated for agricultural development, and by increasing food aid commitments in support of the strengthened efforts of developing countries to increase mobilization and allocation of domestic resources to address food and agricultural problems, in addition to the flow of resources from developed countries, bearing in mind the need to channel this assistance through appropriate existing organizations and programmes;

8. *Stresses* that the provision of food aid in the context of emergency and natural disaster situations should be reinforced through additional rehabilitation and development assistance in order to help restore food production capacity and self-reliance and that it should be provided with a view to restoring such capacity;

9. *Calls* for a joint effort by all States and appropriate international and intergovernmental organizations to improve the food situation and enhance the nutritional levels of affected groups, in particular low-income groups, especially during the implementation of structural adjustment programmes;

10. *Stresses* that the outcome of the Uruguay Round of multilateral trade negotiations should present a unique opportunity to develop a more open, viable and durable trading system, to reverse the disquieting rise in protectionism through a progressive and substantial reduction of support and protection measures in order

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[67] See *Report of the Conference of the Food and Agriculture Organization of the United Nations, Twenty-fifth Session, Rome, 11-29 November 1989* (C 89/REP), paras. 110-120.

[68] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 19* (A/45/19), part one.

[69] A/45/583.

to avoid inflicting large losses on the more efficient producers, especially in developing countries, and to bring agriculture under the strengthened and operationally effective rules and disciplines of the General Agreement on Tariffs and Trade, fully in accordance with the Ministerial Declaration on the Uruguay Round[43] and the Mid-Term Review Agreements,[70] and stresses that efforts to that end should take into account the need to provide special and differential treatment for developing countries, bearing in mind their food security objectives and the need for agricultural and rural development, and should also take into account the need to give effect to the Mid-Term Review Agreements, in which it was stated that ways should be developed to take into account the possible negative effects of the reform process on net food-importing developing countries;

11. *Also stresses* the need to implement promptly and fully the relevant provisions of the Ministerial Declaration and the Mid-Term Review Agreements concerning tropical products, including processed and semi-processed tropical products;

12. *Further stresses* the need to improve global economic conditions in order to establish food security in developing countries at the national, subregional, regional and global levels;

13. *Calls upon* the international community to support and complement, through specific and effective measures, the efforts made by Governments of African States to stimulate agriculture and food production and to implement fully the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, contained in the annex to General Assembly resolution S-13/2 of 1 June 1986;

14. *Urges* all States members of the Food and Agriculture Organization of the United Nations to assist the organization to fulfil its leading role in the United Nations system in assisting countries in their agricultural and rural development;

15. *Appeals* to the international community to contribute generously to the World Food Programme so that the pledging target for the period 1991-1992, as set out in General Assembly resolution 44/230 of 22 December 1989, can be attained and the Programme can continue its activity in support of development and in meeting emergency food needs;

16. *Welcomes* the conclusion of the arrangements for the third replenishment of the International Fund for Agricultural Development, calls upon the international community to continue supporting the activities of the Fund in favour of agricultural development in developing countries, takes note with satisfaction of the positive contribution made by the Fund to the economic recovery programmes of its member developing countries and its increased assistance to the African region in conformity with the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, particularly through its Special Programme for Sub-Saharan African Countries Affected by Drought and Desertification, and invites donors to endorse resolution 60/XIII of 25 January 1990 of the Governing Council of the International Fund for Agricultural Development,[71] concerning the possibility of additional voluntary contributions to the Special Resources for Sub-Saharan Africa for a further three years, starting in January 1991, without prejudicing deliberations on the mobilization of core funding for the Fund;

17. *Stresses* the need for continued and co-ordinated international action to tackle the long-term problems of migratory pest control and food-related diseases in developing countries, and calls upon donors to continue to give high priority to the implementation and continued co-ordination by the Food and Agriculture Organization of the United Nations, and by other relevant programmes, of emergency control programmes, as well as medium-term and longer-term measures, against grasshoppers and locusts, including regional preventive programmes on the desert locust and research on sustainable control strategies formulated and financed in collaboration with the International Fund for Agricultural Development, and to remain prepared to provide financial and technical assistance to affected countries at short notice;

18. *Urges* the international community to give full support to action to eradicate the screw-worm fly, particularly in Africa, welcomes the support already provided by donors to the collaboration between the Food and Agriculture Organization of the United Nations and the International Fund for Agricultural Development on the eradication programme and calls upon them to give high priority to the implementation of the international emergency eradication programme in Africa, co-ordinated by the Screw-worm Emergency Centre for North Africa of the Food and Agriculture Organization of the United Nations in co-operation with the International Fund for Agricultural Development;

19. *Notes* the decision of the Food and Agriculture Organization of the United Nations and the World Health Organization jointly to convene an International Conference on Nutrition in 1992, stresses the need for the Conference to focus on specific rules and practical action and calls upon the international community to support that effort fully as a basis for concerted national and international action to tackle the problems of malnutrition, undernutrition and specific nutrition-related diseases and conditions in the 1990s;

20. *Calls upon* the international community to implement the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries, held in Paris from 3 to 14 September 1990,[15] and, in particular, to support the efforts of those countries in the areas of food production and rural development, food security, development and management of fishery and forestry resources, environmental protection and sustainable development;

21. *Emphasizes* the need for further efforts to be made to achieve the four broad hunger-alleviation goals contained in the Cairo Declaration, adopted by the World Food Council at its fifteenth session,[72] namely:

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[70] General Agreement on Tariffs and Trade, *GATT Activities 1988* (Sales No. GATT/1989-2), annex I.

[71] International Fund for Agricultural Development, *Governing Council, Thirteenth Session Report, Rome, 23-25 January 1990*, para. 15.

[72] See *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 19* (A/44/19), part one.

(*a*) The elimination of starvation and death caused by famine;

(*b*) A substantial reduction in malnutrition and mortality among young children;

(*c*) A tangible reduction in chronic hunger;

(*d*) The elimination of major nutritional-deficiency diseases;

22. *Urges* the World Food Council, as decided at its sixteenth ministerial session, within its mandate, to improve co-ordination of national and international action towards a more concerted attack on hunger and to examine the food production challenges facing different regions of the developing world in the 1990s,[73] and also urges it to continue sensitizing the international community to the nature, causes and consequences of hunger and malnutrition and to continue recommending appropriate practical policies for remedial action;

23. *Calls upon* the developing countries, in addressing food problems, to promote international co-operation within the context of their primary responsibility for promoting technical co-operation among themselves in food and agriculture, to place greater emphasis on their technical co-operation in that sector, requests developed countries and the United Nations system to assist and support such activities and, in addition, requests the United Nations to play a prominent role as promoter and catalyst of international co-operation and technical co-operation among developing countries in food and agriculture;

24. *Decides* to change the title of the sub-item "Food problems" to "Food and agricultural development" in the agenda of future sessions of the General Assembly and the Economic and Social Council;

25. *Requests* the Secretary-General, in consultation with the World Food Council, the United Nations Conference on Trade and Development and the Food and Agriculture Organization of the United Nations, to submit to the Economic and Social Council, at its second regular session of 1991, an updated comprehensive report on trends in the international market for agricultural and tropical products, on developments in the liberalization of international trade in agricultural and tropical products, taking into account the share of developing countries in such trade and the possible adverse short-term effects on net-food-importing developing countries, and on the follow-up to the section on agriculture of the International Development Strategy for the Fourth United Nations Development Decade.

71st plenary meeting
21 December 1990

45/208. Report of the Committee on the Development and Utilization of New and Renewable Sources of Energy

The General Assembly,

Recalling its resolutions 36/193 of 17 December 1981, 37/250 of 21 December 1982, 38/169 of 19 December 1983, 39/173 of 17 December 1984, 41/170 of 5 December 1986 and 43/192 of 20 December 1988,

Recalling also its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development,

Stressing the importance of the continued development of new and renewable sources of energy, taking into account, among other things, trends in energy sources supply and consumption, developments in energy technologies, the importance of environmental concerns and the developmental needs of the developing countries, despite short-term factors that could run counter to the need for the development of new and renewable sources of energy,

Emphasizing the need for the development of new and renewable sources of energy in accordance with the fundamental objectives of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy,[74]

Taking into account the fact that new and renewable sources of energy could constitute a more significant share of world energy supplies, in particular in developing countries,

Having considered the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy on its fifth session,[75]

1. *Takes note* of the report of the Committee on the Development and Utilization of New and Renewable Sources of Energy on its fifth session and endorses the resolutions and decision contained therein;

2. *Reaffirms* the importance and validity of the principles and objectives of the Nairobi Programme of Action for the Development and Utilization of New and Renewable Sources of Energy and the urgent need to promote a higher degree of independent and environmentally sustainable new and renewable sources of energy for all countries;

3. *Urges* that greater attention be given to the development and efficient use of new and renewable sources of energy for the rural sector and to their integration into the overall rural economy, bearing in mind the depletion of the fuelwood supply taking place in many regions of the world and, among other factors, the various trends in energy sources supply and consumption;

4. *Recommends* that the appropriate organs, organizations and bodies of the United Nations system assist the developing countries, upon request and within the context of their national policies, in identifying specific and viable projects in the area of their most pressing needs and in strengthening their national frameworks for new and renewable sources of energy and, to that end, prepare a set of updated or new proposals, within the framework of the goals and objectives of the Nairobi Programme of Action, for the consideration of the Committee on the Development and Utilization of New and Renewable Sources of Energy at its sixth session;

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[73] *Ibid., Forty-fifth Session, Supplement No. 19* (A/45/19), part one, paras. 15-22 and 27-29.

[74] *Report of the United Nations Conference on New and Renewable Sources of Energy, Nairobi, 10-21 August 1981* (United Nations publication, Sales No. E.81.I.24), chap. I, sect. A.

[75] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 36* (A/45/36).

5. *Reiterates* the need to mobilize substantial adequate flows of financial resources commensurate with the needs of developing countries in the field of new and renewable sources of energy, emphasizes the need to utilize existing channels fully, including the United Nations Trust Fund for New and Renewable Sources of Energy, and urges donor countries to continue voluntary contributions to that Fund;

6. *Reaffirms* the importance of increasing inter-agency co-operation within the United Nations system, as well as co-ordination of development activities for new and renewable sources of energy at all levels;

7. *Invites* interested States to inform the Committee, at its sixth session, of their ongoing technical and scientific activities and/or evaluations with regard to selected substantive themes, and invites interested States, organizations of the United Nations system and other interested organizations to convene technical and scientific meetings, related to the substantive themes, that would contribute to the examination of such themes in depth, and to inform the Committee, also at its sixth session, of the results of those meetings;

8. *Calls* for the strengthening of the activities of the United Nations in the field of development and utilization of new and renewable sources of energy;

9. *Requests* the Secretary-General to prepare a comprehensive and analytical study on new and renewable sources of energy with a view to providing a significant contribution to the United Nations Conference on Environment and Development, through the Preparatory Committee for the Conference, to enable it to consider appropriate action, including funding and technology transfer, within its area of competence and within existing financial resources, not excluding voluntary contributions; and also requests the Secretary-General to submit a report to the Preparatory Committee at its fourth session and to the Committee on the Development and Utilization of New and Renewable Sources of Energy at its sixth session;

10. *Requests* the Committee on the Development and Utilization of New and Renewable Sources of Energy, drawing upon necessary expertise, to assess and review the implementation of the Nairobi Programme of Action and the results achieved so far, bearing in mind the need to pursue actively the goals and objectives contained therein;

11. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution, including the ways and means available to the secretariat of the Committee on the Development and Utilization of New and Renewable Sources of Energy to fulfil its functions.

71st plenary meeting
21 December 1990

45/209. Development of the energy resources of developing countries

The General Assembly,

Recalling the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990,

Recalling also its resolutions 40/208 of 17 December 1985 and 43/193 of 20 December 1988 on the development of the energy resources of developing countries,

Reaffirming the importance of the development of the energy resources of developing countries and the need for urgent measures by the international community to assist and support the efforts of the developing countries, in particular the energy-deficient among them, to develop their energy resources, in order to meet their needs through co-operation, assistance and investment in the field of conventional and of new and renewable sources of energy, consistent with their national plans and priorities,

Reaffirming also that the developing countries have the primary responsibility for their strategies and policies for the exploration and development of their energy resources, including the mobilization of financial resources, internal and external, in order to develop their national technical skills and capabilities in the energy sector,

1. *Reaffirms* its resolutions 40/208 and 43/193 and calls for the effective implementation of all their provisions;

2. *Welcomes* the report of the Secretary-General on energy exploration and development trends in developing countries[76] and the outline of a programme of action for the acceleration of energy exploration and development in developing countries, contained therein;

3. *Reaffirms* that an adequate flow of external resources in support of the national efforts of energy-deficient developing countries is needed to finance their exploration and development of indigenous energy resources;

4. *Welcomes* the convening of symposia and other similar undertakings called for in resolution 40/208, and calls upon interested Member States, in co-operation with the appropriate organs, organizations and bodies of the United Nations system, to continue to explore ways and means to support the efforts of developing countries in the exploration and development of their energy resources;

5. *Stresses* the need for comprehensive national, bilateral and multilateral measures, particularly with regard to financing, investment and technology, as well as training of national technical personnel, to accelerate the exploration and development of energy resources in developing countries, including new and renewable sources of energy;

6. *Also stresses* the need to take into consideration environmental and developmental concerns as they apply to all countries in accordance with their respective capabilities and their responsibilities for global environmental degradation;

7. *Further stresses* the importance of integrated energy strategies and the need for comprehensive conservation and efficient management of energy resources in

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[76] A/45/274-E/1990/73 and Corr.1.

developed and developing countries, bearing in mind trends in the energy markets;

8. *Requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution to the General Assembly at its forty-seventh session, through the Economic and Social Council at its second regular session of 1992.

71st plenary meeting
21 December 1990

45/210. Environment and international trade

The General Assembly,

Reaffirming its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development,

Affirming decision 384 (XXXVII) of 12 October 1990 of the Trade and Development Board, entitled "UNCTAD's contribution, within its mandate, to sustainable development",[59]

Also affirming decision 1/25 of 31 August 1990 of the Preparatory Committee for the United Nations Conference on Environment and Development, entitled "Environment and development",[77]

Reaffirming the statement on sustainable development contained in annex II to decision 15/2 of 26 May 1989 of the Governing Council of the United Nations Environment Programme,[78]

1. *Requests* the Secretary-General of the United Nations Conference on Trade and Development, in close co-operation with the Secretary-General of the United Nations Conference on Environment and Development and relevant United Nations bodies, taking into account the relevant parts of Trade and Development Board decision 384 (XXXVII) and the work done by international organizations and in other relevant forums and in conformity with General Assembly resolution 44/228, in which it was stated that environmental concerns and considerations are crucial to achieving sustainable development for all countries but should not serve as a pretext for creating unjustified barriers to trade, to prepare a comprehensive analytical study, to be submitted to the Preparatory Committee for the United Nations Conference on Environment and Development at its third session, on the present situation and future trends regarding the relationship between environmental issues and international trade and covering, *inter alia,* the following subjects:

(*a*) The consideration of trade and environment, in the light of the analysis requested of the Secretary-General of the United Nations Conference on Trade and Development in paragraph 5 of Trade and Development Board decision 384 (XXXVII) concerning the issue of sustainable development, in particular the reduction of poverty and its interface with policies and mechanisms in environmentally sensitive sectors, such as agriculture, energy, industry and transport, as well as with relevant structural policies, such as those related to the enterprise sector;

(*b*) Adjustment of the Trade Control Measures Information System of the United Nations Conference on Trade and Development to monitor environmental regulations for possible protectionism and to monitor non-tariff measures that have a bearing on the environment, in accordance with paragraph 6 of Trade and Development Board decision 384 (XXXVII);

2. *Requests* the Secretary-General of the United Nations Conference on Environment and Development to consult the Secretary-General of the United Nations Conference on Trade and Development and relevant United Nations organs, organizations and programmes in preparing the report on transfer of technology requested in decision 1/8 of 30 August 1990, adopted by the Preparatory Committee for the United Nations Conference on Environment and Development at its first substantive session,[2] for submission to the third session of the Preparatory Committee, including an examination of the obstacles on both the importing and exporting sides that impede the transfer of environmentally sound technologies.

71st plenary meeting
21 December 1990

45/211. United Nations Conference on Environment and Development

The General Assembly,

Recalling the report of the Preparatory Committee for the United Nations Conference on Environment and Development on its organizational session, held in New York from 5 to 16 March 1990,[79]

Having considered the report of the Preparatory Committee on its first session, held at Nairobi from 6 to 31 August 1990,[80]

1. *Reaffirms* its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development;

2. *Stresses* the fundamental interrelationship between environment and development, and reiterates the need to integrate and keep the balance between the environmental and developmental dimensions during the entire preparatory process and during the Conference, and the need for cross-sectoral issues to be fully integrated into that work;

3. *Endorses* the decisions contained in the report of the Preparatory Committee for the United Nations Conference on Environment and Development on its organizational session;[79]

4. *Takes note* of the report of the Preparatory Committee on its first session and endorses the decisions contained therein;[81]

5. *Decides* that the United Nations Conference on Environment and Development shall take place at Rio de Janeiro, Brazil, from 1 to 12 June 1992;

6. *Urges* that representation at the Conference be at the level of head of State or Government;

7. *Invites* the Secretary-General of the United Nations to issue invitations to all States Members of the

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[77] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 46* (A/45/46), annex I.

[78] *Ibid., Forty-fourth Session, Supplement No. 25* (A/44/25), annex I.

[79] *Ibid., Supplement No. 48* (A/44/48).

[80] *Ibid., Forty-fifth Session, Supplement No. 46* (A/45/46).

[81] *Ibid.,* annex I.

United Nations or members of the specialized agencies and observers, in accordance with the established practice of the General Assembly;

8. *Expresses its appreciation* to the Governments that have contributed to the Voluntary Fund for the United Nations Conference on Environment and Development, and invites Governments to contribute urgently and generously to the Fund in order that the operation of the Fund may enable developing countries, in particular the least developed among them, to participate fully and effectively in the Conference and in its preparatory process, in accordance with section II, paragraph 15, of resolution 44/228;

9. *Calls upon* the United Nations Environment Programme and other organs, organizations and bodies of the United Nations system to continue to give full support to the preparatory process for the Conference and assist the Secretary-General of the United Nations Conference on Environment and Development in the implementation of the work programme, in conformity with resolution 44/228;

10. *Requests* the organs, organizations and bodies of the United Nations system to extend full co-operation to developing countries in order to ensure that appropriate preparations for the forthcoming sessions of the Preparatory Committee are made, in particular in all aspects relating to linkages between environment and development, including the identification of concrete measures and action to ensure that these issues are treated in a balanced and integrated way;

11. *Endorses* Preparatory Committee decision 1/7 of 29 August 1990 concerning the dates of the second and third sessions of the Preparatory Committee;[81]

12. *Requests* the Secretary-General of the United Nations Conference on Environment and Development to ensure the timely submission to the Preparatory Committee at its second and third sessions of the reports requested at its first session;

13. *Takes note* of the provisions of Preparatory Committee decision 1/1 of 14 August 1990[81] and authorizes the Preparatory Committee, without prejudice to the provisions of resolution 44/228, to continue to apply, for the purpose of the preparatory process, the provisional arrangements agreed upon in that decision concerning the participation of non-governmental organizations in the preparatory process;

14. *Reiterates* that the Preparatory Committee shall review and assess ongoing negotiating processes in the field of the environment, and invites the forums involved in such processes to report regularly on their activities to the Preparatory Committee at its forthcoming sessions, in accordance with the guidelines and requirements established by the Preparatory Committee.

71st plenary meeting
21 December 1990

45/212. Protection of global climate for present and future generations of mankind

The General Assembly,

Recalling its resolutions 43/53 of 6 December 1988 and 44/207 of 22 December 1989, in which it recognized that climate change is a common concern of mankind, and urging Governments and, as appropriate, intergovernmental and non-governmental organizations and scientific institutions, to collaborate in a concerted effort with the aim of preparing, as a matter of urgency, a framework convention on climate change, and other related instruments, containing appropriate commitments for action to combat climate change and its adverse effects, taking into account the most up-to-date, sound scientific knowledge and any existing uncertainties, as well as the particular needs and development priorities of developing countries,

Recalling also its resolution 44/206 of 22 December 1989 on the possible adverse effects of sea-level rise on islands and coastal areas, particularly low-lying coastal areas,

Recalling further its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development,

Taking note of the relevant resolutions and decisions of the Governing Council of the United Nations Environment Programme and of the Executive Council of the World Meteorological Organization,

Taking note also of the recommendations and decisions of the Preparatory Committee for the United Nations Conference on Environment and Development, adopted at its organizational session[79] and at its first session,[80]

Noting the important work accomplished by the Intergovernmental Panel on Climate Change, which has completed its first assessment report,

Noting also the relevant conclusions and recommendations on climate change adopted at various intergovernmental meetings during 1990,

Noting further the fact that the largest part of the current emission of pollutants into the environment originates in developed countries, and recognizing therefore that those countries have the main responsibility for combating such pollution,

Welcoming the fact that several countries and a regional economic integration organization have already taken measures or made specific commitments to address the problem of climate change and its effects through the stabilization and/or reduction of environmentally harmful emissions of greenhouse gases, and that other countries are contemplating doing so,

Noting that, pursuant to paragraph 10 of General Assembly resolution 44/207, resolution 4 (EC-XLII) of 22 June 1990 of the Executive Council of the World Meteorological Organization and decision SS.II/3 of 3 August 1990, adopted by the Governing Council of the United Nations Environment Programme at its second special session,[82] an *Ad Hoc* Working Group of Government Representatives to prepare for negotiations on a framework convention on climate change met at Geneva from 24 to 26 September 1990 and adopted a number of recommendations,[83]

Recognizing the continuing need for scientific research into the sources and effects of climate change and its possible adverse impact, including the socio-economic consequences, and the effectiveness of possible response strategies, and recognizing also the importance of the active participation of developing countries and the need to assist and co-operate with them in climate-related research and action,

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[82] *Ibid., Supplement No. 25* (A/45/25), annex.

[83] A/45/696, annex I.

1. *Decides* to establish a single intergovernmental negotiating process under the auspices of the General Assembly, supported by the United Nations Environment Programme and the World Meteorological Organization, for the preparation by an Intergovernmental Negotiating Committee of an effective framework convention on climate change, containing appropriate commitments, and any related instruments as might be agreed upon, taking into account proposals that may be submitted by States participating in the negotiating process, the work of the Intergovernmental Panel on Climate Change and the results achieved at international meetings on the subject, including the Second World Climate Conference;

2. *Decides* that the Intergovernmental Negotiating Committee should be open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers in accordance with the established practice of the General Assembly;

3. *Welcomes* the organization of a broad-based preparatory process at the national level involving, as appropriate, the scientific community, industry, trade unions, non-governmental organizations and other interested groups;

4. *Decides* that the first negotiating session should be held in Washington, D.C., in February 1991 and that, subject to review of the timetable at the end of each negotiating session and taking into account the schedule of other intergovernmental meetings on environment and development matters, in particular the sessions of the Preparatory Committee for the United Nations Conference on Environment and Development, further meetings should be held at Geneva and at Nairobi, in May/June, September and November/December 1991 and, as appropriate, between January and June 1992;

5. *Authorizes* the Secretary-General of the United Nations, with the assistance of the Executive Director of the United Nations Environment Programme and the Secretary-General of the World Meteorological Organization, pending the establishment of an *ad hoc* secretariat for the Intergovernmental Negotiating Committee, to convene, exceptionally, the first session of the Intergovernmental Negotiating Committee, to be held in Washington, D.C., in February 1991; the subsequent sessions of the Committee shall be convened by the *ad hoc* secretariat;

6. *Decides* that the maximum duration of each of the negotiating sessions should be two weeks;

7. *Considers* that the negotiations for the preparation of an effective framework convention on climate change, containing appropriate commitments, and any related legal instruments as might be agreed upon, should be completed prior to the United Nations Conference on Environment and Development in June 1992 and opened for signature during the Conference;

8. *Reaffirms* the principles embodied in its resolutions 44/207 and 44/228, which take into account the concerns of all States and the specific needs of developing countries;

9. *Takes account* of the Ministerial Declaration adopted at the Second World Climate Conference, held at Geneva from 29 October to 7 November 1990;[84]

10. *Decides* to establish a special voluntary fund, administered by the head of the *ad hoc* secretariat under the authority of the Secretary-General of the United Nations, to ensure that developing countries, in particular the least developed among them, as well as small island developing countries, are able to participate fully and effectively in the negotiating process, and invites Governments, regional economic integration organizations and other interested organizations to contribute generously to the fund;

11. *Recommends* that, at the first session of the Intergovernmental Negotiating Committee, to be held in Washington, D.C., a Bureau consisting of a Chairman, three Vice-Chairmen and a Rapporteur shall be elected, each of the five regional groups being represented by one member;

12. *Requests* the Secretary-General of the United Nations, in consultation with the Executive Director of the United Nations Environment Programme and the Secretary-General of the World Meteorological Organization, as well as with the executive heads of United Nations bodies with expertise in the field of development, to establish as soon as possible at Geneva an *ad hoc* secretariat of appropriate size and quality, consisting mainly of Professional staff of the United Nations Environment Programme and the World Meteorological Organization, taking into account the need to ensure that the work programmes of those two organizations are not negatively affected, to be co-ordinated by those two organizations in consultation and co-operation with the head of the *ad hoc* secretariat and supplemented by staff from other bodies of the United Nations system, as appropriate, in order to ensure that the *ad hoc* secretariat embodies the requisite technical expertise;

13. *Decides* that the Secretary-General of the United Nations shall appoint as head of the *ad hoc* secretariat a senior official of an appropriate level, who shall act under the guidance of the Intergovernmental Negotiating Committee;

14. *Requests* the head of the *ad hoc* secretariat to co-operate closely with the Intergovernmental Panel on Climate Change to ensure that the Panel can respond to the needs and requests for objective scientific and technical advice made during the negotiating process;

15. *Also requests* the head of the *ad hoc* secretariat to make available, at the first session of the Intergovernmental Negotiating Committee, the first assessment report of the Intergovernmental Panel on Climate Change, including its paper on legal measures, as well as the background documentation prepared for the Panel, as inputs for the negotiations, together with the Ministerial Declaration of the Second World Climate Conference[84] and other relevant documents;

16. *Requests* the Intergovernmental Negotiating Committee, through the *ad hoc* secretariat and taking

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[84] A/45/696/Add.1, annex III.

into account the relevance of the negotiations to the United Nations Conference on Environment and Development, to keep the Preparatory Committee for the Conference and the Secretary-General of the Conference, as well as the Secretary-General of the United Nations, regularly informed in a timely manner, through regular progress reports, of the progress of the negotiations;

17. *Also requests* the Intergovernmental Negotiating Committee to take into account, as appropriate, any relevant developments in the preparations for the United Nations Conference on Environment and Development that the Preparatory Committee may bring to its attention;

18. *Requests* the Chairman of the Intergovernmental Negotiating Committee, on behalf of the Committee, to submit a report to the United Nations Conference on Environment and Development in 1992 on the outcome of the negotiations, as well as on possible future steps in the field of climate change;

19. *Invites* relevant non-governmental organizations to make contributions to the negotiating process, as appropriate, on the understanding that these organizations shall not have any negotiating role during the process and taking into account decision 1/1 concerning the participation of non-governmental organizations adopted by the Preparatory Committee for the United Nations Conference on Environment and Development at its first session;[81]

20. *Decides* that the negotiating process shall be funded through existing United Nations budgetary resources, without negatively affecting its programmed activities, and through voluntary contributions to a trust fund established specifically for that purpose for the duration of the negotiations and administered by the head of the *ad hoc* secretariat under the authority of the Secretary-General of the United Nations;

21. *Invites* the World Meteorological Organization and the United Nations Environment Programme and other relevant bodies of the United Nations system, including those in the field of development, to make appropriate contributions to the negotiating process, including its funding;

22. *Invites* Governments, regional economic integration organizations and other interested organizations to contribute generously to the trust fund;

23. *Requests* the head of the *ad hoc* secretariat to prepare draft rules of procedure for consideration by the Intergovernmental Negotiating Committee at its first session;

24. *Requests* the Secretary-General of the United Nations to submit to the General Assembly at its forty-sixth session a report on the progress of the negotiations;

25. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Protection of global climate for present and future generations of mankind".

71st plenary meeting
21 December 1990

45/213. International co-operation for the eradication of poverty in the developing countries

The General Assembly,

Recalling its resolutions 43/195 of 20 December 1988 and 44/212 of 22 December 1989, Economic and Social Council resolution 1988/47 of 27 May 1988 and Commission on Human Rights resolution 1989/10 of 2 March 1989 concerning extreme poverty,[85]

Recalling also the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990, as well as the Paris Declaration adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15]

Recognizing that a broad consensus is emerging on strategies to be pursued towards the achievement of the goal of the eradication of poverty,

Recognizing also the severity of poverty problems in developing countries,

Agrees that the eradication of poverty in the developing countries is an objective of the highest priority, and consequently urges the relevant organs, organizations and bodies of the United Nations system to formulate and implement forthwith, within their programmes and activities at all levels, necessary measures and actions to eradicate this distressing problem.

71st plenary meeting
21 December 1990

45/214. International debt crisis and development: enhanced international co-operation towards a durable solution to the external debt problems of developing countries

The General Assembly,

Recalling its resolutions 41/202 of 8 December 1986, 42/198 of 11 December 1987, 43/198 of 20 December 1988 and 44/205 of 22 December 1989,

Recalling also the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990, and taking note of the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15]

Recalling further Trade and Development Board resolutions 165 (S-IX) of 11 March 1978,[46] 222 (XXI) of

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[85] See *Official Records of the Economic and Social Council, 1989, Supplement No. 2* (E/1989/20), chap. II, sect. A.

27 September 1980,[86] 358 (XXXV) of 5 October 1988[87] and 375 (XXXVI) of 13 October 1989,[58] and taking note of Board resolution 388 (XXXVII) of 17 October 1990,[59]

Recognizing that for many indebted developing countries an early and durable solution of the external debt problems is not achievable without, *inter alia*, a significant reduction in the stock and service of debt, and, in that context, welcoming the willingness of several creditor countries to reduce and/or write off debt stock or service on the bilateral official debt of many developing countries,

Emphasizing that it is essential for debtor developing countries to continue to pursue and intensify their efforts to raise savings and investment, reduce inflation and improve efficiency, taking into account their own individual characteristics and the vulnerability of the poorer strata of their populations,

Stressing that measures for debt reduction also need to be accompanied by vigorous efforts to improve the international economic environment in order to facilitate the reactivation of the growth and development of developing countries,

Noting with appreciation the recent developments in the evolving debt strategy,

Noting also the proposals made by developing countries and regional organizations, including the Organization of African Unity and the Latin American Economic System,

Stressing the urgent need for rapid and broad implementation of recent initiatives and measures to reduce the stock and service of external debt and to provide debt relief,

Concerned at the decline in the flow of financial resources to developing countries for development and at the large net transfer of resources from many of those countries, which deprives them of the much-needed resources for their growth and development,

Convinced that a durable solution to the debt problems of developing countries continues to require the full participation and full co-operation of Governments of creditor and debtor countries, multilateral financial institutions and private banks,

Stressing the need for urgent and full implementation of the commitments and policies contained in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, particularly those pertaining to the problem of external debt, as well as of the relevant provisions of the International Development Strategy for the Fourth United Nations Development Decade and of the Programme of Action for the Least Developed Countries for the 1990s,

Recognizing the need for the continuation of efforts by all the parties concerned to resolve the severe debt crisis and to forestall its proliferation and prevent its further aggravation,

Recognizing also the role of the multilateral financial institutions in dealing with debt problems of developing countries and the need to safeguard the high standing of those institutions in financial markets,

1. *Expresses its appreciation* to the Secretary-General for his efforts to promote understanding among debtor and creditor countries and multilateral financial institutions, with a view to contributing to a solution to the external debt problems of developing countries and, in that regard, stresses the need for the continuation of his efforts;

2. *Takes note with interest* of the reports of the Secretary-General[88] and of his Personal Representative on Debt,[89] as well as the introductory statements made before the Second Committee by the Secretary-General on 30 October 1990[90] and by his Personal Representative on 23 October 1990;[91]

3. *Acknowledges* the recent initiatives and measures taken in the context of the evolving debt strategy with a view to contributing to the solution of the debt problems;

4. *Also acknowledges* the various proposals made by developing and developed countries with a view to finding a durable solution to the external debt problems, and draws the attention of the international community to those proposals;

5. *Welcomes* the willingness of several creditor countries to reduce and/or write off the stock and debt servicing of many developing countries;

6. *Stresses* the urgent need for the broadest and most expeditious implementation of the recent initiatives and for building upon them;

7. *Recognizes* that for a large number of developing countries external indebtedness impedes their economic growth and development, which threatens their economic, social and political stability;

8. *Stresses*, therefore, the need to continue to strive to achieve, through dialogue and shared responsibility, during the initial years of the present decade, a durable, equitable and mutually agreed growth- and development-oriented solution to the debt problems of developing countries, taking into account their particular circumstances, including those of the countries whose debt is mainly to official creditors or to multilateral institutions;

9. *Recognizes* that the economic growth and development of developing countries is essential for generating the resources necessary to enable them to service their debt;

10. *Also recognizes* that there is a close interrelationship between the external debt problems of developing countries and the global economic environment, which needs to be markedly improved through the adoption of an appropriate mix of fiscal, monetary and trade policies by all countries in accordance with their respective capacities and impact on the world economy;

11. *Further recognizes* that debtor countries should continue their efforts to attain efficiency and return to a path of sustained growth by adopting appropriate national economic policies;

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[86] See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 15* (A/35/15), vol. II, annex I.

[87] *Ibid., Forty-third Session, Supplement No. 15* (A/43/15), vol. II,

[88] A/45/656.

[89] A/45/380 and Corr.1, annex.

[90] See *Official Records of the General Assembly, Forty-fifth Session, Second Committee*, 26th meeting, and corrigendum.

[91] *Ibid.*, 20th meeting, and corrigendum.

12. *Takes note* of the ongoing efforts to address the debt problems of the least developed countries, and stresses the need to intensify ongoing efforts to find an effective solution to the problem of external indebtedness of those countries;

13. *Welcomes* the steps taken to forgive or reduce the official development assistance debt of the low-income countries, and urges that further appropriate action be taken in that regard, particularly for the countries in Africa;

14. *Emphasizes* that measures for the reduction of official debt stock and service should be implemented, taking into account the need for debtor countries to benefit from increased new financial flows, particularly official development assistance;

15. *Invites* the multilateral financial institutions to continue to provide support for debt and debt-service reduction packages, with the necessary flexibility under their established guidelines, and urges that serious attention be given to continuing to work towards a growth-oriented solution of the problems of developing countries with serious debt-servicing problems, including those whose debt is mainly to official creditors or to multilateral financial institutions;

16. *Recognizes* that increased co-operation between the International Monetary Fund, the World Bank and other multilateral financial institutions is welcomed but should not lead to cross-conditionality;

17. *Emphasizes* the need to provide substantial concessional resources to the developing countries, with a view to promoting the revival of economic growth and sustained development, and in that regard emphasizes that developed countries should implement their undertakings to attain the agreed international target of devoting 0.7 per cent of gross national product to official development assistance, as well as the agreed targets established at the Second United Nations Conference on the Least Developed Countries;

18. *Recognizes* that a durable solution to the debt problems involves, *inter alia,* a substantial improvement in the access of the products of developing countries to the markets of developed countries and in their terms of trade, as well as diversification of their exports, and reaffirms, in this context, the urgent need for a balanced and successful outcome of the Uruguay Round of multilateral trade negotiations that would result in the liberalization and expansion of world trade to the benefit of all countries, especially developing countries;

19. *Urges* the multilateral financial institutions and the donor countries to take appropriate steps to assist effectively those developing countries adversely affected by the situation between Iraq and Kuwait; in particular, the multilateral financial institutions are invited to respond promptly, flexibly and with expanded resources to the needs arising from the present situation and to play a catalytic role in mobilizing additional assistance;

20. *Recognizes* that the external indebtedness of some other countries with serious debt-servicing problems also gives rise to considerable concern, and invites all those involved to take into account, as appropriate, the provisions of the present resolution in addressing those problems and in working towards an early growth-oriented solution to the external debt problems;

21. *Takes note with appreciation* of the very useful efforts made by the Personal Representative of the Secretary-General on Debt in producing a wide-ranging analysis and in producing recommendations, and, in this context, encourages Governments to give them appropriate consideration, as a new impulse to better understanding of the different aspects of the debt problem;

22. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/215. United Nations Pledging Conference for Development Activities

The General Assembly,

Reaffirming the importance of the United Nations Pledging Conference for Development Activities,

Taking note of the report of the Secretary-General on future administrative arrangements for the Conference,[92]

Recalling its resolution 44/208 of 22 December 1989 and taking note of Economic and Social Council resolution 1990/80 of 27 July 1990,

1. *Decides* that the United Nations Pledging Conference for Development Activities shall remain the principal opportunity for Member States and others to pledge their contributions to United Nations development activities, that it shall continue to be convened early in November and that its basic format shall remain unchanged;

2. *Decides also* that:

(*a*) The Conference shall be limited to two working sessions;

(*b*) The Conference shall continue to be opened by the Secretary-General;

(*c*) Greater use should be made of written pledges and that delegations should be given an opportunity to make pledges in writing before the Conference takes place and to have them circulated during the Conference;

(*d*) As a general rule, statements by participants in the Conference shall be limited to five minutes each;

(*e*) A speakers' list shall be established for Member States and others wishing to speak; the only other statements will be an opening and closing statement by the President of the Conference, should he or she wish, and short closing statements by executive heads of the United Nations programmes and funds or their representatives;

(*f*) Delegations which are not in a position to make a definitive pledge should make known their pledges as soon as possible;

(*g*) The adoption and signing of the Final Act of the Conference shall be replaced by the adoption of a procedural report of the Conference;

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[92] A/45/281-E/1990/66 and Corr.1.

3. *Urges* Member States to consider increasing their financial contributions to United Nations development activities.

71st plenary meeting
21 December 1990

45/216. Population and development

The General Assembly,

Recalling its resolution 44/210 of 22 December 1989, in which it requested the Executive Director of the United Nations Population Fund to examine, in particular, the implications for population programmes of the Amsterdam Declaration on a Better Life for Future Generations, adopted by the International Forum on Population in the Twenty-first Century, held at Amsterdam from 6 to 9 November 1989,[93] to develop further the analysis of resource requirements for international population assistance and to submit a report thereon to the General Assembly at its forty-fifth session, through the Governing Council of the United Nations Development Programme and the Economic and Social Council,

Taking note of decision 90/35 of 20 June 1990 of the Governing Council of the United Nations Development Programme on the United Nations Population Fund,[94]

Taking note also of Economic and Social Council resolution 1990/82 of 27 July 1990,

Noting that in the report of the United Nations Population Fund entitled *The State of World Population, 1990* it is stressed that population growth and distribution are closely linked with environmental and development issues,

Reaffirming the principles and objectives of the World Population Plan of Action,[95] which were affirmed and expanded at the International Conference on Population,[96]

Recognizing that socio-economic development is conducive to the success of population policies,

Reaffirming that assistance to developing countries in the area of population should be substantially increased during the 1990s and that developing countries should also intensify their efforts to allocate adequate resources to population programmes,

1. *Emphasizes* the sovereign right of all countries to formulate, adopt and implement their population policies, mindful of their cultures, values and traditions, as well as of their social, economic and political conditions, and also consistent with human rights and with the responsibilities of individuals, couples and families;

2. *Takes note* of the report of the Executive Director of the United Nations Population Fund on the implications for population programmes of the Amsterdam Declaration on a Better Life for Future Generations and on efforts to develop further the analysis of resource requirements for international population assistance,[97] in which the unmet and expanding resource needs for population activities are outlined;

3. *Encourages* the Fund to sustain the momentum generated by the International Forum on Population in the Twenty-first Century through continued follow-up to the recommendations contained in the Amsterdam Declaration;

4. *Stresses* the need to take into account all economic and social factors in integrating demographic objectives in population strategies and in the formulation of development strategies in general;

5. *Emphasizes* the importance of mobilizing and increasing resources for population activities and, in this context:

(*a*) Urges all Governments, each according to its capacity, concerned international and regional organizations, including the World Bank, and non-governmental organizations to make every effort to mobilize the resources required for population activities, which are estimated at 9 billion United States dollars per year by the year 2000, taking into account the potential for user contributions, where feasible and advisable;

(*b*) Notes the crucial importance of resource investments in health and education, especially for women, for the success of population programmes, and urges Governments of developing countries to strengthen, according to their economic and social capacities and conditions, their political and financial commitments to investments in the social sector, and also urges Governments of developed countries, as well as concerned international, regional and non-governmental organizations, to strengthen their financial and technical support in the areas of health and education, to respond positively to requests for population assistance and to increase significantly the proportion of their development assistance destined for population activities;

(*c*) Stresses the desirability of concentrating Fund resources, in accordance with the criteria established by the Fund, on countries most in need of assistance in the population field in view of their population problems, taking into account the special needs of the low-income countries, particularly the least developed countries;

6. *Encourages* the Fund, in conformity with General Assembly resolution 44/211 of 22 December 1989, to strengthen and utilize national capacities through national execution, to enhance accountability, to adopt a programme-oriented approach and decentralize capacity and authority to the field level and to support co-ordination of the United Nations system at the country level through the resident co-ordinators, and, in this context, encourages the Fund to increase the utilization of available national expertise in the formulation and implementation of population assistance activities;

7. *Also encourages* the Fund, the United Nations Children's Fund, the World Health Organization and other relevant United Nations organizations and specialized agencies to strengthen their co-operation in the field of maternal and child health care and family planning, each within its own mandate;

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[93] A/C.2/44/6, annex.

[94] See *Official Records of the Economic and Social Council, 1990, Supplement No. 9* (E/1990/29), annex I.

[95] See *Report of the United Nations World Population Conference, Bucharest, 19-30 August 1974* (United Nations publication, Sales No. E.75.XIII.3), chap. I.

[96] See *Report of the International Conference on Population, Mexico City, 6-14 August 1984* (United Nations publication, Sales No. E.84.XIII.8 and corrigenda).

[97] DP/1990/44.

8. *Emphasizes* the importance of addressing the relationship between demographic pressures and unsustainable consumption patterns and environmental degradation during the preparatory process for the United Nations Conference on Environment and Development, taking into account the decisions to be taken by the Preparatory Committee for the United Nations Conference on Environment and Development, in accordance with General Assembly resolution 44/228 of 22 December 1989;

9. *Reaffirms* the importance of the role of population policies in relation to development, as emphasized, *inter alia,* in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15] and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990;

10. *Welcomes* the willingness of the nineteen members of the Development Assistance Committee of the Organisation for Economic Co-operation and Development, as expressed in the December 1989 policy statement by Committee aid ministers and heads of aid agencies for their aid policies for the 1990s and reiterated at Committee meetings on population and development matters held in April and June 1990, to assist developing countries to establish, fund and implement effective population strategies and programmes as a matter of priority;

11. *Stresses* the primary role of Governments in the formulation, implementation and co-ordination of population policies and programmes at the national level and the role of the United Nations Population Fund, upon request, in supporting the development of national capacities in that respect;

12. *Also stresses* the need for co-ordination at the regional and interregional levels to focus on issues related to the attainment of specific population goals and objectives;

13. *Recommends* that the Fund continue to focus attention on the importance of population issues in the context of overall development plans and programmes, in particular those oriented towards the reactivation of economic growth and development of developing countries, and on the need to find and mobilize adequate resources to address these issues, and, in this context, urges the Fund to continue to undertake activities aimed at building better awareness of population issues, including their relation to environment and development issues and World Population Day;

14. *Invites* the Executive Director of the United Nations Population Fund to give specific information, in the section on policy and programme co-ordination of the annual report, on the co-operation of the Fund with other relevant United Nations organizations and specialized agencies.

71st plenary meeting
21 December 1990

45/217. World Summit for Children

The General Assembly,

Welcoming the adoption by the World Summit for Children, on 30 September 1990, of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,[12]

1. *Urges* all States and other members of the international community to work for the achievement of the goals and objectives endorsed in the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, as an integral part of their national plans and international co-operation;

2. *Urges* especially the donor countries to assist developing countries in achieving the goals set out in the World Declaration and the Plan of Action by increasing their contributions to development co-operation targeted for the special needs of children;

3. *Urges* all relevant organs, organizations and bodies of the United Nations system to take into account the goals, strategies and recommendations of the World Declaration and the Plan of Action in carrying out their programmes, and invites the relevant governing bodies to consider specific measures, within their fields of competence, to address the special needs of children in the light of the World Declaration and the Plan of Action;

4. *Calls upon* the United Nations system to ensure appropriate dissemination of the World Declaration and the Plan of Action;

5. *Requests* the Secretary-General to take appropriate action to ensure the implementation and monitoring by the relevant organs, organizations and bodies of the United Nations system of the provisions of the present resolution;

6. *Takes note* of the provisions in the Plan of Action for appropriate mechanisms in the United Nations system to monitor its implementation;

7. *Decides* to consider at its forty-seventh session the question of the implementation of the World Declaration and the Plan of Action, in particular the response of the United Nations system;

8. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session, through the Economic and Social Council at its first and second regular sessions of 1992, on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/218. Governance of the World Food Programme

The General Assembly,

Recalling its decision 44/414 of 22 November 1989,

Taking note of Economic and Social Council resolution 1990/79 of 27 July 1990 on the governance of the World Food Programme, which is a joint programme of the United Nations and the Food and Agriculture Organization of the United Nations, *Considering* that a careful review of the present arrangements governing the World Food Programme is needed,

Considering also that intergovernmental oversight of the World Food Programme, through the Committee on Food Aid Policies and Programmes, which reports to the General Assembly and the Conference of the Food and Agriculture Organization of the United Nations through the Economic and Social Council and the Council of the Food and Agriculture Organization of the United Nations respectively, together with clear lines of responsibility and accountability, are required for effective governance of the Programme and should contribute to the enhancement of the effectiveness and efficiency of the secretariat in carrying out the mandate of the Programme,

1. *Recognizes* the need for improved governance arrangements for the World Food Programme consistent with its programme requirements, its accountability to member States and its characteristics as an entity of the United Nations system;

2. *Welcomes* the decision taken by the Committee on Food Aid Policies and Programmes at its twenty-ninth session[98] to establish a sub-committee on the governance of the World Food Programme and the relationships between the United Nations, the Food and Agriculture Organization of the United Nations and the World Food Programme, and urges the Committee to complete expeditiously its review of governance arrangements for the Programme;

3. *Urges* the Committee, in conducting its review, to take into account the need for enhanced governance arrangements and improved efficiency and effectiveness of the World Food Programme and enhanced accountability to member States;

4. *Requests* the Secretary-General, taking into account the foregoing, to continue to participate fully in the review of governance arrangements for the World Food Programme and to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the participation of the United Nations in the review of the governance arrangements for the World Food Programme.

71st plenary meeting
21 December 1990

45/219. United Nations Institute for Training and Research

The General Assembly,

Recalling its resolutions 41/172 of 5 December 1986, 42/197 of 11 December 1987, 43/201 of 20 December 1988 and 44/175 of 19 December 1989,

Having considered the report of the Secretary-General[99] and the report of the Executive Director of the United Nations Institute for Training and Research,[100] and taking into account the statements made before the Second Committee on 30 November 1990 by the representative of the Secretary-General and the Executive Director of the Institute,[101]

Recognizing the continuing importance and relevance of the functions of the Institute particularly in the field of training,

Recognizing also the need for Governments to contribute or increase their voluntary contributions, as appropriate, to the Institute,

Noting with concern the continuing lack of a sufficiently broad base of donor countries supporting the Institute,

Paying tribute to the Institute for its activities since its creation in 1965,

Deeply concerned that the sale of the headquarters property of the Institute, which would have enabled a reserve fund for the Institute to be established, has not yet been completed,

Noting with concern that the 1990 United Nations Pledging Conference for Development Activities did not provide the General Fund of the United Nations Institute for Training and Research with the level of resources required for it to maintain a minimum training programme and institutional structure,

1. *Takes note* of the report of the Secretary-General prepared pursuant to General Assembly resolution 44/175[99] and the report of the Executive Director of the United Nations Institute for Training and Research;[100]

2. *Strongly reiterates* its urgent desire that the Institute sell its headquarters property at the earliest reasonable opportunity, preferably within the next twelve months;

3. *Requests* the Secretary-General to appoint an appropriately qualified high-level independent consultant, to be paid from extrabudgetary resources, who would submit a report directly to the Secretary-General containing recommendations on:

(*a*) The continued relevance of the mandate of the Institute, taking into account the relevant resolutions of the General Assembly and other research and training activities of the United Nations system, a review and assessment of all aspects of the current activities of the Institute and their benefits to the United Nations and its Member States, *inter alia,* in the fields of the maintenance of peace and security and the promotion of economic and social development, and an assessment of whether those activities can be more effectively carried out by the Institute or by other bodies in the United Nations system;

(*b*) The overall staffing requirements for the Institute, including the number and level of such staff, in order to meet satisfactorily the needs of the United Nations and its Member States;

(*c*) The financial means for meeting those needs, based on the findings;

(*d*) The feasibility of utilizing the facilities of the Institute for the training of personnel for peace-keeping operations;

4. *Also requests* the Secretary-General to submit the report of the independent consultant to the Advisory Committee on Administrative and Budgetary Ques-

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[98] See E/1990/101, annex.

[99] A/45/634.

[100] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 14* (A/45/14).

[101] *Ibid., Forty-fifth Session, Second Committee,* 50th meeting, and corrigendum.

tions and to the Board of Trustees of the Institute for comment and to the General Assembly at its forty-sixth session;

5. *Requests* that the budgetary proposals of the Institute continue to be submitted to the Advisory Committee on Administrative and Budgetary Questions for review and comment prior to approval by the Board of Trustees of the Institute;

6. *Reaffirms* that the activities of the Institute that are not funded from the General Fund of the United Nations Institute for Training and Research shall continue to be funded through voluntary contributions mobilized as special-purpose grants from Governments, intergovernmental organizations, foundations and other non-governmental sources;

7. *Agrees* with the recommendation of the Secretary-General that the Institute should, immediately after the sale of its property, repay the amounts currently owed to the United Nations and use the balance to establish a reserve fund for the Institute;

8. *Recommends* that the Institute, with the Advisory Committee on Administrative and Budgetary Questions, should consider financial mechanisms in order to finance its General Fund budget for 1991;

9. *Decides* to take a decision on the future of the Institute at its forty-sixth session, in accordance with the provisions of General Assembly resolution 42/197;

10. *Encourages* the Secretary-General to continue to explore new modalities for greater interfacing among United Nations research bodies, and requests the Director-General for Development and International Economic Co-operation to continue to organize meetings of United Nations research institutes with a view to enhancing practical co-operation among them, particularly in regard to the formulation and implementation of their programmes and plans;

11. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/220. United Nations University

The General Assembly,

Recalling its resolution 2951 (XXVII) of 11 December 1972 on the establishment of the United Nations University,

Recalling also its resolution 43/200 of 20 December 1988 on the United Nations University,

Taking cognizance of the important progress made by the University and the relevance of its work to the concerns of the United Nations,

Having considered the report of the Council of the United Nations University on the work of the University in 1989[102] and the statement concerning its development in 1990, made by the Rector of the University before the Second Committee on 26 November 1990,[103]

Noting with appreciation the financial and other contributions made by Governments and organizations in support of the University,

Also noting with appreciation the progress made with regard to the permanent headquarters building in Japan,

Taking note of decision 4.2.2 on the United Nations University adopted on 18 May 1990 by the Executive Board of the United Nations Educational, Scientific and Cultural Organization at its one hundred and thirty-fourth session,[104]

1. *Welcomes* the implementation of the University's programmes of research, advanced training and dissemination of knowledge, within the framework of its second medium-term perspective, for 1990-1995;

2. *Requests* the Council of the United Nations University to review, within the mandate of its charter, the role and functions of the University Centre in the light of the expansion of its research and training centres and programmes, with a view to maintaining the coherence of the University as a whole;

3. *Takes note* of the continued high quality and usefulness of the work of the World Institute for Development Economics Research of the United Nations University, in Finland, and of the decision of the University to undertake a review and evaluation of the work of the Institute, which has completed its first five years of operation;

4. *Notes with satisfaction* the commencement of the work of the Institute for New Technologies of the United Nations University, in the Netherlands, which constitutes a major expansion of the overall programme of the University;

5. *Welcomes* the progress made in the initiation of a programme for natural resources in Africa, in furtherance of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa,[105] which is expected to lead to the full realization of the Institute for Natural Resources in Africa;

6. *Notes with appreciation* the progress made with regard to the International Institute for Software Technology of the United Nations University, to be located in Macau;

7. *Also notes with appreciation* the progress made with regard to the proposed Institute of Advanced Studies in Japan;

8. *Requests* the University to continue to foster its substantive collaboration with the United Nations and its system of organizations, in particular with the United Nations Educational, Scientific and Cultural Organization, in areas of global concern;

9. *Takes note* of the University's important institutional developments and requests it to strengthen its collaboration with international, regional and national academic and scientific institutions, particularly in developing countries, in addressing the global issues elaborated in its second medium-term perspective;

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[102] *Ibid., Forty-fifth Session, Supplement No. 31* (A/45/31).

[103] *Ibid., Forty-fifth Session, Second Committee,* 48th meeting, and corrigendum.

[104] See United Nations Educational, Scientific and Cultural Organization, *Decisions Adopted by the Executive Board at its One Hundred and Thirty-fourth Session,* Paris, 9-18 May 1990 (134 EX/Decisions).

[105] A/S-11/14, annex I.

10. *Requests* the University to continue to intensify its fund-raising efforts to augment its Endowment Fund and mobilize operating contributions and other programme and project support;

11. *Appeals* to all States to contribute to the Endowment Fund of the University and to make operating contributions, including support for its research and training centres and programmes, in order to enable it to expand its world-wide activities, particularly in developing countries, and thus fulfil its mandate in accordance with its charter and the relevant resolutions of the General Assembly.

71st plenary meeting
21 December 1990

45/221. Strengthening of the Office of the United Nations Disaster Relief Co-ordinator

The General Assembly,

Deeply concerned about the increasing vulnerability of countries, in particular developing countries, to natural and other sudden disasters,

Aware of the profound negative impact of such disasters on the economic and social growth of developing countries,

Recognizing the imperative need to ensure a reduction of damage caused by disasters, through the timely adoption of appropriate preventive measures and by means of rapid and effective response when disasters occur,

Reaffirming that the Office of the United Nations Disaster Relief Co-ordinator is the focal point within the United Nations system for matters related to disaster relief and disaster mitigation,

Having noted the constraints and difficulties currently facing the Office of the United Nations Disaster Relief Co-ordinator in the discharge of its mandate, as set out in paragraph 1 of General Assembly resolution 2816 (XXVI) of 14 December 1971,

1. *Endorses* Economic and Social Council resolution 1990/63 of 26 July 1990 concerning the Office of the United Nations Disaster Relief Co-ordinator;

2. *Requests* the Secretary-General, in this connection, taking into account, *inter alia,* the experience gained by the Office of the Co-ordinator in the situation between Iraq and Kuwait, to make proposals to the Economic and Social Council at its second regular session of 1991 for the strengthening of the capacity of the Office of the Co-ordinator to fulfil its mandate, which are to be included in the proposed programme budget for the biennium 1992-1993 in the light of an overall analysis of the capacity of the United Nations system to respond to calls for disaster mitigation and emergency relief assistance and of the role played by the Office of the Co-ordinator in this field which should address, *inter alia,* the implementation of General Assembly decision 42/433 of 11 December 1987 and the strengthening of arrangements for the response to complex emergencies;

3. *Also requests* the Secretary-General to consider, within the framework of the overall analysis described in paragraph 2 above, the need to adapt further, in the case of the Office of the Co-ordinator, existing United Nations procedures concerning the procurement, transport and storage of emergency supplies, including the establishment of special warehouses as needed, in order to permit the Office to respond in a timely manner to the special and immediate requirements of countries exposed to sudden disasters;

4. *Recognizes* the importance for the Office of the Co-ordinator to be in a position immediately to provide small emergency grants to countries stricken by disasters to meet their most immediate needs;

5. *Notes,* in that respect, the pressure on existing budgetary provisions for present and future needs during the biennium 1990-1991;

6. *Requests* the Economic and Social Council to review the situation at its second regular session of 1991 and authorizes the Office of the Co-ordinator, pending that review, to continue to make grants available to disaster-stricken countries, not to exceed 50,000 United States dollars per disaster, out of the existing reserve of 360,000 dollars allocated for that purpose in the programme budget of the Office for the biennium 1990-1991;

7. *Calls upon* Governments and private and voluntary organizations to make generous cash contributions to the existing contingency relief fund of the Office of the Co-ordinator so as to provide it with the flexibility necessary to address specific needs created by sudden disaster situations;

8. *Requests* the Secretary-General to include information on the implementation of the present resolution in his next biennial report on the Office of the Co-ordinator, which will be submitted to the General Assembly on an exceptional basis at its forty-sixth session, through the Economic and Social Council at its second regular session of 1991.

71st plenary meeting
21 December 1990

45/222. Assistance for the reconstruction and development of Yemen

The General Assembly,

Welcoming the declaration on 22 May 1990 of the merger of the Yemen Arab Republic and the People's Democratic Republic of Yemen to form a single sovereign State called the Republic of Yemen,

Recalling its resolution 44/179 of 19 December 1989 and taking note of Economic and Social Council resolution 1990/65 of 26 July 1990,

Taking into consideration the fact that Yemen, being one of the least developed countries, is unable to sustain reconstruction and development programmes in spite of the efforts made by its Government,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15] and the mutual commitments entered into on that occasion,

Noting that the response of the international community to General Assembly resolution 44/179 has not achieved the expected goal in meeting the rehabilitation and reconstruction needs arising from the damages inflicted by the floods of 1982 and 1989,

Noting with deep concern the economic situation in Yemen, which has been exacerbated recently by the serious and adverse effects of the situation between Iraq and Kuwait,

1. *Expresses its gratitude* to the States and intergovernmental and non-governmental organizations that responded and are continuing to respond generously to the request of the Government of Yemen for assistance to overcome the economic difficulties resulting from the floods;

2. *Expresses its appreciation* to the Secretary-General for his efforts, reflected in his report,[106] to make the international community aware of the difficulties faced by Yemen and to mobilize assistance for the country;

3. *Renews the request* made to all States, competent United Nations organizations and programmes and international economic and finance institutions to continue to contribute to the reconstruction and development of Yemen;

4. *Calls upon* the Secretary-General, in co-operation with the concerned organs and organizations of the United Nations system and in close collaboration with the Government authorities, to carry out an evaluation of the requirements of Yemen with a view to drawing up a programme for the reconstruction and development of Yemen, following the damage to the infrastructure of the country;

5. *Expresses the wish* that its future round-table meetings be held within the framework of the intensified follow-up called for by the Second United Nations Conference on the Least Developed Countries;

6. *Calls upon* the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council at its second regular session of 1991, on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/223. Special economic assistance to Chad

The General Assembly,

Recalling its resolution 44/176 of 19 December 1989 and its previous resolutions on assistance in the reconstruction, rehabilitation and development of Chad and on special economic assistance to that country,

Recalling the round table on assistance to Chad, convened by the United Nations Development Programme at Geneva on 4 and 5 December 1985 in accordance with the arrangements agreed upon at the International Conference on Assistance to Chad, held in November 1982,

Having considered the report of the Secretary-General[107] dealing with, *inter alia*, the status of assistance provided for the rehabilitation and reconstruction of the country and the progress made in organizing and executing the programme of assistance for that country,

Considering that the effects of war and recent natural calamities and disasters are compromising all the reconstruction and development efforts of the Government of Chad,

Noting with satisfaction that the third Round-table Conference of Donors to Chad, convened by the Government of Chad in co-operation with the United Nations Development Programme, was held at Geneva on 19 and 20 June 1990 and that a development orientation plan was submitted to donors on that occasion by the Government of Chad,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15] and mindful of the mutual commitments entered into on that occasion,

Noting that round tables on education, training and employment, technical co-operation, promotion of the private sector, health and social affairs, environment and the struggle against desertification, rural development, food security and water resources and urban development will be convened by the Government of Chad, in collaboration with the United Nations Development Programme, in 1990 and 1991,

1. *Expresses its gratitude* to the States and intergovernmental and non-governmental organizations that responded and are continuing to respond generously to the appeals of the Government of Chad and of the Secretary-General by furnishing assistance to Chad;

2. *Expresses its appreciation* to the Secretary-General for his efforts to make the international community aware of the difficulties of Chad and to mobilize assistance for that country;

3. *Renews the request* made to all States, competent United Nations organizations and programmes and international economic and financial institutions to continue to contribute to the rehabilitation and development of Chad;

4. *Expresses the wish* that future round tables on Chad be held within the framework of the intensified follow-up decided on at the Second United Nations Conference on the Least Developed Countries;

5. *Requests* the Secretary-General to continue to assess, in close collaboration with the humanitarian agencies concerned, the humanitarian needs, particularly in the areas of health and food, of the displaced populations;

6. *Invites* all States and competent United Nations organizations and programmes to participate actively in the different round tables scheduled to be held in 1990 and 1991 at N'Djamena;

7. *Calls upon* the Secretary-General to keep the situation in Chad under review and to report thereon to the General Assembly at its forty-sixth session.

71st plenary meeting
21 December 1990

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[106] A/45/669.

[107] A/45/358.

45/224. Special assistance to the front-line States

The General Assembly,

Recalling its resolutions 41/199 of 8 December 1986, 42/201 of 11 December 1987, 43/209 of 20 December 1988 and 44/181 of 19 December 1989,

Having considered the report of the Secretary-General on special assistance to front-line States and other neighbouring States,[108]

Reaffirming the provisions of the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, contained in the annex to its resolution S-16/1 of 14 December 1989, in particular paragraph 9 (*e*) thereof, in which the States Members of the United Nations decided to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by South Africa's acts of aggression and destabilization, and to withstand any further such acts,

Aware that the continuing existence of the *apartheid* system in South Africa aggravates economic and social problems confronting the front-line States and other neighbouring States,

Noting the evolving situation in South Africa,

Conscious of the urgent need and responsibility of the international community to address the problems affecting the region,

Mindful of Security Council resolutions 568 (1985) of 21 June 1985, 571 (1985) of 20 September 1985 and 581 (1986) of 13 February 1986, in which the Council, *inter alia,* requested the international community to render assistance to the front-line States,

1. *Expresses its appreciation* to the Secretary-General for his efforts regarding assistance to the front-line States;

2. *Notes with appreciation* the assistance being rendered to the front-line States by donor countries and intergovernmental and non-governmental organizations;

3. *Expresses its deep concern* about the adverse effects of past acts of aggression and continued destabilization undertaken directly or indirectly through surrogates against front-line States and other neighbouring States;

4. *Strongly urges* the international community to continue to provide in a timely and effective manner the financial, material and technical assistance necessary to enhance the individual and collective capacity of the front-line States and other neighbouring States to withstand the effects of economic measures taken by South Africa, or by the international community against South Africa, in accordance with their national and regional plans and strategies;

5. *Requests* the Secretary-General and organizations and bodies of the United Nations system to respond to such requests for assistance as might be forthcoming from individual States or the appropriate subregional organizations, and further urges all States and intergovernmental and non-governmental organizations to respond favourably to such requests;

6. *Appeals* to all States and appropriate intergovernmental and non-governmental organizations to support the national and collective emergency programmes prepared by the front-line States and other neighbouring States to overcome the critical problems arising from the situation in South Africa;

7. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/225. Assistance for the reconstruction and development of Lebanon

The General Assembly,

Recalling its resolution 44/180 of 19 December 1989 and its previous resolutions on assistance for the reconstruction and development of Lebanon,

Taking note of Economic and Social Council resolution 1990/66 of 26 July 1990 and recalling the relevant resolutions and decisions previously adopted by the Council,

Noting with deep concern the grave deterioration of the economic situation in Lebanon, compounded recently by the severe drop in remittances, the loss of a major export market and the subsequent sharp decline in the value of the Lebanese pound on the exchange market, owing in particular to the situation between Iraq and Kuwait,

Reaffirming the urgent need for further international action to assist the Government of Lebanon in its continuing efforts for reconstruction and development,

Taking note of the report of the Secretary-General[109] and of the statement made before the Second Committee of the General Assembly on 22 October 1990 on behalf of the Special Representative of the Secretary-General for the Reconstruction and Development of Lebanon,[110]

1. *Expresses its appreciation* to the Secretary-General for his report and for the steps he has taken to mobilize assistance to Lebanon;

2. *Commends* the Under-Secretary-General for Political and General Assembly Affairs and Secretariat Services for his co-ordination of system-wide assistance to Lebanon;

3. *Requests* the Secretary-General to continue and intensify his efforts to mobilize all possible assistance within the United Nations system to help Lebanon in its reconstruction and development efforts;

4. *Calls upon* the organs, organizations and bodies of the United Nations system to intensify their programmes of assistance and to expand them in response to the pressing needs of Lebanon, and to take the steps necessary to ensure that their offices in Beirut are operational and adequately staffed at the senior level;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the pro-

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[108] A/45/479 and Corr.1.

[109] A/45/566.

[110] See *Official Records of the General Assembly, Forty-fifth Session, Second Committee*, 18th meeting, and corrigendum.

gress made in the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/226. Operation Lifeline Sudan

The General Assembly,

Recalling its resolutions 43/8 of 18 October 1988, 43/52 of 6 December 1988 and 44/12 of 24 October 1989 on assistance to the Sudan,

Deeply concerned at the continuing negative impact of persistent natural disasters and armed conflict in the Sudan, which have resulted in the destruction of the socio-economic infrastructure of that country and large numbers of displaced persons, as well as the expected serious consequences of the most recent drought, namely, crop failures and food shortages,

Recognizing that the Sudan continues to require, as a complement to its own efforts, strong and continued international solidarity and humanitarian support to meet the urgent requirements for relief, rehabilitation and reconstruction,

Noting that the food and non-food requirements of Operation Lifeline Sudan are spelt out in the emergency appeal of May 1990 of the United Nations Children's Fund, the Operation Lifeline Sudan Phase II Background Appeal Document of the Donor Consultation Meeting of 26 March 1990 and the World Food Programme appeal of 20 March 1990,

Noting with appreciation the report on progress in the second phase of Operation Lifeline Sudan made before the Third (Programme and Co-ordination) Committee of the Economic and Social Council on 11 July 1990 by the Special Representative of the Secretary-General for Emergency and Relief Operations in the Sudan,

Taking note of the recent decision of the Government of the Sudan during the World Summit for Children, held in New York on 29 and 30 September 1990, to extend a new period of tranquillity in the southern part of the country,

1. *Attaches importance* to the established principles governing United Nations emergency programmes in conflict situations, including the principle of safe access for personnel providing relief to all in need, which should be implemented with the co-operation of all parties concerned;

2. *Expresses its deep gratitude and appreciation* to the States and intergovernmental and non-governmental organizations that are providing assistance to the Government and the people of the Sudan in their relief, rehabilitation and reconstruction efforts in the context of Operation Lifeline Sudan;

3. *Expresses its full appreciation* to the Secretary-General and the organizations of the United Nations system for the successful co-ordination of and the effective resource mobilization and support for Operation Lifeline Sudan;

4. *Requests* the Secretary-General, in close co-operation with the Government of the Sudan, to continue to co-ordinate the efforts of the United Nations system to help the Sudan in its emergency, rehabilitation and reconstruction programmes, to mobilize resources for the implementation of those programmes and to keep the international community informed of the needs of that country;

5. *Calls upon* all States to continue to contribute generously to the relief and rehabilitation requirements of displaced persons;

6. *Also calls upon* all States to respond generously to the appeals for immediate food and non-food relief and rehabilitation support made by the United Nations Children's Fund in May 1990, the Government of the Sudan on 26 March 1990 and the World Food Programme on 20 March 1990;

7. *Urges* the Government of the Sudan and other parties involved to offer all feasible assistance, including facilitating the movement of relief supplies and personnel, to guarantee maximum success of the second phase of Operation Lifeline Sudan in all parts of the country;

8. *Takes note with appreciation* of the report of the Secretary-General on Operation Lifeline Sudan,[111] and requests him to monitor and assess the evolution of the emergency situation and to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on all matters connected with the implementation of emergency and relief operations in the Sudan and to offer appropriate briefings during the intervening period.

71st plenary meeting
21 December 1990

45/227. Assistance to Mozambique

The General Assembly,

Recalling Security Council resolution 386 (1976) of 17 March 1976,

Recalling also its relevant resolutions, in particular resolution 43/208 of 20 December 1988, in which it urged the international community to respond effectively and generously to the call for assistance to Mozambique,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15] and mindful of the mutual commitments undertaken for a strengthened partnership for development and the importance to be given to the follow-up to the recommendations of that Conference,

Having considered the report of the Secretary-General on emergency assistance to Mozambique,[112]

Considering that Mozambique continues to face a complex emergency situation of extreme proportions, as illustrated in the report of the Secretary-General,

Noting with deep concern that Mozambique has continued to suffer from the negative impact of the war of destabilization, resulting in, *inter alia,* enormous losses of human life, widespread destruction of infrastructure, massive poverty and large numbers of displaced persons, which, combined with an adverse international economic situation, have led to an overall retrogression of the country's development,

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[111] A/45/547.

[112] A/45/562.

Stressing that a proper response to the emergency situation in Mozambique requires the reinforcement of relief aid with additional rehabilitation and development assistance,

1. *Takes note* of the report of the Secretary-General on emergency assistance to Mozambique;

2. *Welcomes* the efforts being undertaken by the Government of Mozambique for the restoration of peace and normalization of life in the country, as well as other measures as reflected in its emergency and economic and social recovery programmes, and, in this context, stresses the need for vigorous international assistance in support of these efforts;

3. *Expresses its appreciation* to, and commends, the Secretary-General and the relevant organizations of the United Nations system for the measures taken to organize international assistance programmes for Mozambique;

4. *Expresses its gratitude* to all States and regional, intergovernmental and non-governmental organizations that have rendered assistance to Mozambique;

5. *Recognizes* that substantial international assistance is still required for the implementation of emergency, reconstruction and development programmes and projects;

6. *Reiterates its appeal* to the international community to continue to provide relief aid, in particular urgent food aid and logistics support, so as to improve distribution capacity and prevent further widespread starvation;

7. *Draws the attention* of the international community to the non-food sectors, as described in the report on the emergency situation in Mozambique setting out priority requirements for the period 1990-1991,[113] the funding of which continues to lag, particularly in the areas of relief items, agriculture, health, assistance to returnees and institutional support;

8. *Calls upon* Member States, regional and interregional organizations and other intergovernmental and non-governmental organizations to provide and expand technical, financial and other material assistance to Mozambique wherever possible, especially in the form of grants, and urges them to give priority to the inclusion of Mozambique in their development assistance programmes;

9. *Invites* all appropriate organizations and programmes of the United Nations system to maintain and increase their current and future programmes of assistance to Mozambique;

10. *Requests* the Secretary-General:

(*a*) To continue his efforts to mobilize the financial, technical and material assistance required by Mozambique;

(*b*) To continue to co-ordinate the work of the United Nations system, in close co-operation with the Government of Mozambique, in the implementation of the country's emergency and rehabilitation programmes;

(*c*) To prepare, on the basis of consultations with the Government of Mozambique, a report on the implementation of the emergency and rehabilitation programmes for that country and to submit the report to the General Assembly at its forty-seventh session.

71st plenary meeting
21 December 1990

45/228. Assistance for the reconstruction and development of Djibouti

The General Assembly,

Recalling its resolution 44/177 of 19 December 1989 and its previous relevant resolutions on economic assistance to Djibouti,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15] and mindful of the mutual commitments undertaken on that occasion, as well as the importance to be attached to the follow-up to that Conference,

Deeply concerned about the extensive damage and devastation in Djibouti caused by the unprecedented torrential rains and floods in April 1989,

Noting with concern the destruction of thousands of dwellings, particularly in working-class areas, and the damage to major sectors of the national infrastructure, particularly the road network, the water supply, health centres and hospitals, educational establishments and other public services,

Considering the severe damage to the scarce agricultural resources of Djibouti, including the destruction of its livestock,

Noting that the economic and social development efforts of Djibouti, which is included in the list of least developed countries, are thwarted by the negative consequences of the torrential rains and floods that periodically devastate that vulnerable country, and that the implementation of reconstruction and development programmes requires the deployment of considerable resources, which exceed the real capacities of the country,

Noting also that the harsh climate and the chronic dryness preclude any agricultural activity of scale and that the persistent effects of a cyclical drought have devastating consequences for the already precarious economic and social development of Djibouti,

Noting with concern that the situation in Djibouti has been adversely affected by recent events in the Horn of Africa, and noting the recent influx of over 50,000 persons displaced from their countries, which has placed serious strains on the fragile economic, social and administrative infrastructure of the country,

Noting the extremely critical economic situation of Djibouti, resulting from its geographical position and from the number of priority development projects that have been suspended in the light of the new critical international situation,

Taking note of the reports of the Secretary-General to the Economic and Social Council at its second regular session of 1990 and to the General Assembly at its forty-fifth session,[107]

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[113] *The Emergency Situation in Mozambique: Priority requirements for the period 1990-1991* (United Nations publication, Sales No. E.90.IV.1).

Noting with gratitude the support provided to emergency relief operations during the floods in 1989 by various countries and intergovernmental and non-governmental organizations,

1. *Declares its solidarity* with the Government and people of Djibouti in the face of the devastating consequences of the torrential rains and floods and the new and difficult economic realities of Djibouti;

2. *Endorses* the evaluations and the recommendations of the various missions dispatched to Djibouti, which the Secretary-General takes into account in his report;[107]

3. *Calls upon* the Secretary-General, in co-operation with the concerned organs and organizations of the United Nations system and in close collaboration with the Government authorities, to carry out a re-evaluation of the requirements of Djibouti, in the light of its new and pressing needs, with a view to drawing up not only an urgent programme of rehabilitation and reconstruction, but also a sustained and suitable long-term development programme;

4. *Calls upon* all States, all regional and interregional organizations, non-governmental organizations and other intergovernmental agencies, in particular the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the United Nations Industrial Development Organization, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Bank, to provide Djibouti with substantial and appropriate assistance, on both a bilateral and a multilateral basis, to enable it to cope with its special economic difficulties;

5. *Requests* the Secretary-General to continue his efforts to mobilize the resources necessary for an effective programme of financial, technical and material assistance to Djibouti;

6. *Also requests* the Secretary-General to arrange for a study of the economic situation of Djibouti and of the progress made in the organization and implementation of the new special programme of economic assistance for the country, in time for the question to be considered by the General Assembly at its forty-sixth session.

71st plenary meeting
21 December 1990

45/229. Emergency assistance to Somalia

The General Assembly,

Recalling its resolutions 43/206 of 20 December 1988 and 44/178 of 19 December 1989, as well as Economic and Social Council decision 1989/111 of 22 May 1989 concerning emergency assistance to Somalia,

Extremely concerned at the massive displacement of the population in the affected regions of northern Somalia, the extensive damage and destruction of infrastructure and the widespread disruption of public services,

Noting with satisfaction the measures taken by the Secretary-General to obtain an assessment of the emergency and rehabilitation needs of the displaced population,

Reaffirming the need for the international community to respond fully to requests for emergency humanitarian and rehabilitation assistance for Somalia,

Considering that Somalia, as one of the least developed countries, is unable to cope with the mounting burden of providing adequate food, medicine and shelter for the large number of displaced people,

Taking note of the report of the Secretary-General[114] and the statement made by the representative of Somalia before the Second Committee on 22 October 1990,[110]

1. *Expresses its gratitude* to the States and intergovernmental and non-governmental organizations that have responded and are continuing to respond generously to the appeals of the Government of Somalia and the Secretary-General by extending assistance to Somalia;

2. *Expresses its appreciation* to the Secretary-General for the efforts he is making to mobilize international resources to assist the Government and people of Somalia in coping with the emergency situation in the affected regions of northern Somalia;

3. *Recalls* the interim report of the United Nations inter-agency mission that visited Somalia from 25 February to 12 March 1989;[115]

4. *Once again appeals* to all States and the competent intergovernmental and non-governmental organizations to contribute generously and urgently to meet the needs identified by the United Nations inter-agency mission to Somalia;

5. *Requests* the Secretary-General to continue to co-ordinate the efforts of the United Nations system to help Somalia in its emergency and rehabilitation programme;

6. *Also requests* the Secretary-General to apprise the Economic and Social Council at its first regular session of 1991 of his efforts and to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

71st plenary meeting
21 December 1990

45/230. Assistance to Benin, the Central African Republic, Ecuador, Madagascar and Vanuatu

The General Assembly,

Recalling its resolution 43/211 of 20 December 1988 on assistance to Benin, the Central African Republic, Democratic Yemen, Djibouti, Ecuador, Madagascar and Vanuatu and its previous resolutions on assistance to those countries,

Having considered the relevant report of the Secretary-General,[107]

Deeply concerned at the seriousness of the economic and financial crisis prevailing in these countries, which is heightened by the catastrophic effects of natural disasters,

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[114] A/45/483.

[115] A/44/261, annex.

Noting that, despite the structural adjustment programmes carried out by most of these countries, their economic and financial performance for the past two years has continued to be poor, and stressing the need for vigorous support of these programmes and for action to alleviate the impact of the adjustment policies being implemented, especially in the social sphere,

Noting that Benin is still facing a financial crisis, which reached its peak in 1989 as a result of the erosion of the tax base, the collapse of the banking system, the fall in productivity of the revenue services, the persistence of the consequences of the disastrous floods of 1988 and the economic crisis in the region,

Noting the grave difficulties that the Government of the Central African Republic has continued to face since 1982 in achieving the objectives of its development programme owing to the harmful effects of the international economic situation, and recognizing the need to provide it with supplementary resources so as to enable it to achieve those objectives,

Bearing in mind the economic and financial consequences of the earthquakes of March 1987 in Ecuador and their negative impact on that country's balance of payments, and taking into account the fact that all the efforts made by the Government of Ecuador to improve that adverse situation have not produced the desired results, since the effects of the international economic crisis seriously impede the entire economic and social development process,

Noting that Madagascar's economic and social development efforts are being thwarted by the adverse effects of the cyclones and floods that afflict that country periodically, and that the implementation of reconstruction and rehabilitation programmes requires the mobilization of substantial resources that are beyond the country's real means,

Noting that Vanuatu, an island developing country, continues to experience severe constraints in its economic and social development as a consequence, *inter alia,* of the deterioration in the terms of trade for its export commodities and of a high population growth rate coupled with an absence of skilled manpower,

Noting the particularly difficult problems faced by island developing countries in responding to negative and special economic circumstances, as referred to in the report of the Secretary-General[116] called for in General Assembly resolution 43/189 of 20 December 1988,

Taking note of the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s, adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990,[15] and mindful of the mutual commitments entered into on that occasion, as well as the importance to be attached to the follow-up to the Conference,

Having heard the statements of Member States at its forty-fifth session on the situations currently prevailing in those countries,

1. *Expresses its appreciation* to the Secretary-General, Member States, specialized agencies and other organizations of the United Nations system and regional, interregional and intergovernmental organizations for the assistance they have provided or pledged to those countries;

2. *Expresses its appreciation* for the efforts undertaken by the Governments of those countries to overcome their economic and financial difficulties;

3. *Reaffirms* that all Governments and international organizations should fulfil the commitments undertaken within the framework of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990, contained in the annex to its resolution S-13/2 of 1 June 1986, the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the Paris Declaration adopted by the Second United Nations Conference on the Least Developed Countries;[15]

4. *Notes with concern* that the assistance made available to those countries has not been adequate to meet their urgent requirements and that additional assistance is needed;

5. *Appeals* to Member States, international financial institutions, the specialized agencies and organizations and programmes of the United Nations system, humanitarian organizations and voluntary agencies to respond generously and urgently to the needs of those countries as identified in the report of the Secretary-General[107] and to continue and increase their assistance in response to the reconstruction, economic recovery and development needs of those countries;

6. *Requests* the Secretary-General to take the necessary steps and to mobilize the resources needed, in collaboration with the organs, agencies and programmes of the United Nations system, in accordance with resolution 43/211 on special programmes of economic assistance, to provide assistance for all disasters, natural or otherwise, striking those countries, both in order to meet any reconstruction needs resulting from disasters that have already occurred and in order to implement preventive programmes to reduce the effects of future disasters;

7. *Also requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the implementation of the present resolution, containing:

(*a*) The identification of priorities for action by the international community;

(*b*) An assessment of the assistance actually received;

(*c*) An assessment of needs still unmet and specific proposals for responding to them effectively.

71st plenary meeting
21 December 1990

45/231. Special Plan of Economic Co-operation for Central America

The General Assembly,

Recalling its resolutions 42/1 of 7 October 1987, 42/204 of 11 December 1987, 43/24 of 15 November 1988 and 44/10 of 23 October 1989, and decisions 88/31

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[116] A/43/513 and Corr.1.

A of 1 July 1988[117] and 89/64 of 30 June 1989[118] of the Governing Council of the United Nations Development Programme, and taking note of Governing Council decision 90/31 of 20 June 1990,[94]

Recalling in particular its resolutions 42/231 of 12 May 1988, 43/210 of 20 December 1988 and 44/182 of 19 December 1989, in which it urged the international community and international organizations to increase their technical, economic and financial co-operation with the Central American countries within the framework of the Special Plan of Economic Co-operation for Central America,[119]

Reiterating the importance of the commitments made by the Central American Presidents in the agreement signed at Guatemala City at the Esquipulas II summit meeting,[120] the declarations adopted at Alajuela, Costa Rica,[121] and Costa del Sol, El Salvador,[122] and the agreements reached at Tela, Honduras,[123] Montelimar, Nicaragua,[124] and at the most recent summit meeting held at Antigua, Guatemala, from 15 to 17 June 1990,[125]

Recognizing the importance of the efforts made by the Secretary-General with respect to the situation in Central America and the ongoing involvement of the United Nations in economic co-operation in the region,

Especially concerned about the need to continue responding to the emergency situation in Central America, and alarmed at the seriousness of the economic and social crisis that the region faces,

Bearing in mind the importance of the Special Plan for setting economic and social development priorities and strengthening the capacity to design and implement regional projects in a large number of sectors and the unprecedented technical negotiating effort that has been required on the part of the five Central American countries,

Bearing in mind also the appeal made by the Central American Governments at the thirty-seventh session of the Governing Council of the United Nations Development Programme, held at Geneva from 28 May to 23 June 1990, for the allocation of financial resources so that implementation of the projects and programmes of the Special Plan may continue,

Considering that the implementation of the Special Plan has made it possible to work out new joint strategies for economic and social development and has deepened the regional peace and democratization process, as reflected in the Central American Economic Plan of Action,[125] which emerged from the summit meeting held at Antigua, Guatemala, in June 1990,

Expressing its satisfaction at the performance of the United Nations Development Programme in carrying out the responsibilities entrusted to it for the co-ordination of the Special Plan,

Reaffirming its conviction that peace, development and democracy are inseparable,

1. *Takes note* of the report of the Secretary-General on the Special Plan of Economic Co-operation for Central America,[126] which contains information on the status of implementation of the Special Plan;

2. *Decides* to extend the Special Plan of Economic Co-operation for Central America for an additional three-year period beginning in 1991;

3. *Stresses* the importance of the new directions in regional development that have emerged from the summit meetings of the Presidents of Central American countries and, in particular, from the meeting held at Antigua, Guatemala, at which the Central American Economic Plan of Action was approved;

4. *Recommends* that, through the existing machinery for the implementation of the Special Plan, due account be taken of the goals and priorities set in the Antigua Declaration[125] and the Central American Economic Plan of Action;

5. *Welcomes with satisfaction* the Joint Political Declaration and Joint Economic Communiqué of the Dublin Ministerial Conference on Political Dialogue and Economic Co-operation between the member States of the European Community and the countries of Central America and the Contadora Group, held at Dublin on 9 and 10 April 1990,[127] in which they reaffirmed their commitment to continue to participate in the reactivation and economic and social development of the region;

6. *Also welcomes with satisfaction* the renewal of the San José Agreement (Central American energy co-operation programme) in August 1990 by the Governments of the Central American countries and the Governments of Mexico and Venezuela;

7. *Welcomes with satisfaction* the Declaration of the first international meeting of the Follow-up Committee of the International Conference on Central American Refugees, held in New York on 27 and 28 June 1990;

8. *Calls upon* Member States and observers, intergovernmental organizations, international financial institutions, the organs and specialized agencies of the United Nations system and regional and subregional organs and institutions to participate actively in and adopt immediate measures for the implementation of activities in support of the goals and objectives of the Special Plan, taking into account the difficult social and economic situation faced by the Central American countries, and to support the projects submitted by

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[117] See *Official Records of the Economic and Social Council, 1988, Supplement No. 9* (E/1988/19), annex I.

[118] *Ibid.*, 1989, Supplement No. 13 (E/1989/32), annex I.

[119] A/42/949, annex.

[120] A/42/521-S/19085, annex; see *Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987*, document S/19085.

[121] A/42/911-S/19447, annex; see *Official Records of the Security Council, Forty-third Year, Supplement for January, February and March 1988*, document S/19447.

[122] A/44/140-S/20491, annex; see *Official Records of the Security Council, Forty-fourth Year, Supplement for January, February and March 1989*, document S/20491.

[123] A/44/451-S/20778; see *Official Records of the Security Council, Forty-fourth Year, Supplement for July, August and September 1989*, document S/20778.

[124] A/44/936-S/21235, annex; see *Official Records of the Security Council, Forty-fifth Year, Supplement for April, May and June 1990*, document S/21235.

[125] See A/44/958, annex.

[126] A/45/622.

[127] A/44/944-S/21282, annexes I and II; see *Official Records of the Security Council, Forty-fifth Year, Supplement for April, May and June 1990*, document S/21282.

those countries within the framework of the machinery set up under the Special Plan;

9. *Emphasizes* the urgent need for the international community to increase its technical assistance to the Central American countries and to provide them with adequate additional financial resources on favourable and concessional terms;

10. *Requests* the Governing Council of the United Nations Development Programme to consider the request made by the Governments of the Central American countries for appropriate financial assistance for the Special Plan during the fifth programming cycle;

11. *Requests* the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the progress made in implementing the Special Plan;

12. *Decides* to review and appraise the implementation of the Special Plan at its forty-sixth session.

71st plenary meeting
21 December 1990

45/232. Emergency assistance for Liberia

The General Assembly,

Extremely concerned about the untold loss of life and human suffering as a consequence of the conflict in Liberia and that over 750,000 people have become refugees and half the population within the country has been displaced,

Deeply concerned about the massive destruction of the nation's infrastructure,

Conscious of the urgent need for the international community to provide assistance for the economic and social rehabilitation of Liberia,

Conscious also of the peace and humanitarian efforts at the subregional level,

1. *Appeals* to the international community to render its support by providing all necessary assistance for the economic and social rehabilitation of Liberia;

2. *Appeals* to all Member States to make voluntary contributions for rehabilitation efforts;

3. *Requests* the Secretary-General, in close co-operation with the appropriate authority in Liberia, to coordinate the efforts of the United Nations system to assist that country in its emergency relief, rehabilitation and reconstruction efforts, to mobilize resources for the implementation of the necessary programmes and to keep the international community informed of the needs of the country;

4. *Also requests* the Secretary-General to apprise the Economic and Social Council, at its first regular session of 1991, of his efforts and to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

5. *Decides* to include in the agenda of its forty-sixth session an item entitled "Emergency assistance for the economic and social rehabilitation of Liberia".

71st plenary meeting
21 December 1990

45/233. International assistance for the economic rehabilitation of Angola

The General Assembly,

Recalling its resolution 44/168 of 15 December 1989 regarding international assistance for the economic rehabilitation of Angola,

Mindful of Security Council resolutions 387 (1976) of 31 March 1976, 475 (1980) of 27 June 1980, 628 (1989) of 16 January 1989 and other resolutions of the Council, in which the Council, *inter alia,* requested the international community to render assistance to Angola,

Aware of the difficult economic situation of Angola, which is a result of the aggression and destabilization that prevailed in the country, as well as the current drought,

1. *Takes note* of the report of the Secretary-General;[128]

2. *Expresses its appreciation* to the international community for the support and assistance it has already rendered to Angola;

3. *Appeals* to the international community to render the financial, material and technical assistance necessary for the economic rehabilitation of Angola;

4. *Requests* the Secretary-General to mobilize the United Nations system and the international community, with a view to obtaining increased support for the economic rehabilitation of Angola;

5. *Also requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

6. *Welcomes* the decision of the Government of Angola to organize, in 1991, a round-table conference of donors for the rehabilitation and reconstruction of Angola, in co-operation with the United Nations Development Programme, the African Development Bank, the Government of Portugal and other interested countries;

7. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "International assistance for the economic rehabilitation of Angola".

71st plenary meeting
21 December 1990

45/234. Implementation of the commitments and policies agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries

The General Assembly,

Reaffirming its resolution S-18/3 of 1 May 1990, the annex to which contains the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,

Convinced that the full and effective implementation of the commitments and policies agreed upon in the Declaration would contribute to the strengthening of international economic co-operation, in particular the revitalization of economic growth and development of the developing countries,

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[128] A/45/551.

Noting with appreciation the results achieved by the Second United Nations Conference on the Least Developed Countries[15] and in the elaboration of the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to General Assembly resolution 45/199 of 21 December 1990, as well as by the World Summit for Children,[12] in the light of the Declaration,

1. *Takes note* of Economic and Social Council resolution 1990/54 of 24 July 1990;

2. *Calls upon* States Members of the United Nations and States members of the specialized agencies to take appropriate measures to ensure the full and effective implementation of the commitments and policies agreed upon in the Declaration;

3. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the steps taken by the Governments of developed and developing countries, individually and collectively, as well as by the organs, organizations and bodies of the United Nations system, to fulfil those commitments and policies, taking into account Economic and Social Council resolution 1990/54;

4. *Decides* to include in the agenda of its forty-sixth session an item entitled "Implementation of the commitments and policies agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries";

5. *Decides* that, during consideration of the item mentioned in paragraph 4 above, the General Assembly should elaborate effective modalities to ensure action-oriented political review and follow-up processes for the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries and for the International Development Strategy for the Fourth United Nations Development Decade, as provided for in paragraph 38 of the Declaration and paragraph 112 of the Strategy.

71st plenary meeting
21 December 1990

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45/84. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

The General Assembly,

Recalling its resolutions 39/15 of 23 November 1984, 41/95 of 4 December 1986 and 43/92 of 8 December 1988,

1. *Expresses its appreciation* to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his updated report;[2]

2. *Expresses its thanks* to all Governments and organizations that supplied the Special Rapporteur with information;

3. *Takes note with satisfaction* of Commission on Human Rights resolution 1990/22 of 27 February 1990,[3] in which the Commission invited the Special Rapporteur:

(*a*) To continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist régime of South Africa, giving such details regarding enterprises listed as he may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report, through the Economic and Social Council, to the General Assembly at its forty-fifth session;

(*b*) To use all available material from other United Nations organs, Member States, specialized agencies and other relevant sources in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist régime of South Africa;

(*c*) To intensify direct contacts with the United Nations Centre on Transnational Corporations and the Centre against *Apartheid* of the Secretariat, with a view to consolidating mutual co-operation in updating the report;

4. *Calls upon* all Governments:

(*a*) To co-operate with the Special Rapporteur in making the report even more accurate and informative;

(*b*) To disseminate the updated report and to give its contents the widest possible publicity;

5. *Calls upon* all Governments and organizations to maintain sanctions against the racist régime of South Africa until the total dismantlement of the *apartheid* system has been achieved, in conformity with the Declaration on *Apartheid* and its Destructive Consequences

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[2] A/45/552, annex.

[3] See *Official Records of the Economic and Social Council, 1990, Supplement No. 2* and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

in Southern Africa, adopted by the General Assembly by its resolution S-16/1 of 14 December 1989 and contained in the annex thereto;

6. *Invites* the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session and the Commission on Human Rights at its forty-seventh session to consider the updated report;

7. *Requests* the Secretary-General, in accordance with resolution 43/92, to make available to the Special Rapporteur two economists to help him to develop his analysis and documentation on specific cases of special importance;

8. *Also requests* the Secretary-General to give the Special Rapporteur all the assistance that he may require in the exercise of his mandate, with a view to intensifying direct contacts with the United Nations Centre on Transnational Corporations and the Centre against *Apartheid,* and to consolidating mutual co-operation in updating his report;

9. *Further requests* the Secretary-General to bring the updated report of the Special Rapporteur to the attention of Governments whose national financial institutions continue to deal with the régime of South Africa, and to call upon them to provide the Special Rapporteur with any information or comments they may wish to present on the matter;

10. *Requests* the Secretary-General to contact the Government of South Africa with a view to enabling the Special Rapporteur to undertake a visit to South Africa on special mission within the perspective of the next update of the present report;

11. *Invites* the Secretary-General to give the updated report of the Special Rapporteur the widest distribution and publicity as a United Nations publication;

12. *Decides* to examine at its forty-seventh session, as a matter of high priority, the item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist régime of South Africa", in the light of any recommendations which the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights, the Economic and Social Council and the Special Committee against *Apartheid* may wish to submit to it;

13. *Requests* that the Special Rapporteur submit his updated report to the General Assembly at its forty-seventh session.

68th plenary meeting
14 December 1990

45/85. Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 44/135 of 15 December 1989, as well as its other relevant resolutions,

Taking note of Commission on Human Rights resolutions 1990/21 of 23 February 1990 and 1990/25 of 27 February 1990,[3] and Economic and Social Council decision 1990/226 of 25 May 1990, by which the Council approved the recommendations of the Task Force on Computerization for computerizing the human rights treaty system,[4]

Reaffirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts made by the Organization, pursuant to the Charter of the United Nations and to the Universal Declaration of Human Rights,[5] to promote universal respect for and observance of human rights and fundamental freedoms,

Considering that the effective functioning of treaty bodies established pursuant to United Nations instruments on human rights is indispensable for the effective implementation of such instruments,

Reaffirming its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(*a*) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(*b*) Securing sufficient financial resources to overcome existing difficulties with the effective functioning of treaty bodies;

(*c*) Addressing the question of reporting obligations and that of financial implications whenever elaborating any further instruments on human rights,

Recognizing that the effective implementation of instruments on human rights not only enhances international accountability in relation to the promotion and protection of human rights, but also provides States parties with a valuable opportunity to review policies and programmes affecting the promotion and protection of human rights and to make any appropriate adjustments,

Expressing concern about the continuing and increasing backlog of reports on implementation by States parties of United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Bearing in mind the report of the Secretary-General[6] on progress achieved in enhancing the effective functioning of the treaty bodies, pursuant, *inter alia,* to the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988,[7]

Taking note of the conclusions and recommendations of the third meeting of persons chairing the human rights treaty bodies, held at Geneva from 1 to 5 October 1990,[8]

Bearing in mind the study by the independent expert[9] on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights,

1. *Endorses* the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies aimed at streamlining, rationalizing and

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[4] See E/CN.4/1990/39, annex.

[5] Resolution 217 A (III).

[6] A/44/539.

[7] See A/44/98, annex.

[8] See A/45/636, annex.

[9] See A/44/668, annex.

otherwise improving reporting procedures, and supports the continuing efforts in this connection by the treaty bodies and the Secretary-General within their respective spheres of competence;

2. *Once again expresses its satisfaction* with the study by the independent expert on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights, which contains several recommendations on reporting and monitoring procedures, servicing and financing of supervisory bodies and long-term approaches to human rights standard-setting and implementation mechanisms, and which was presented to the Commission on Human Rights for detailed consideration at its forty-sixth session;

3. *Endorses* the recommendations of the Task Force on Computerization[4] appointed by the Secretary-General to prepare a study on computerizing the work of the treaty-monitoring bodies, with a view to increasing efficiency and facilitating compliance by States parties with their reporting obligations and the examination of reports by the treaty bodies;

4. *Requests* the Secretary-General to give high priority to establishing a computerized data base to increase the efficiency and effectiveness of the functioning of the treaty bodies;

5. *Recalls* the report of the Secretary-General[10] to the Committee on Economic, Social and Cultural Rights showing the extent of overlapping issues dealt with in international instruments on human rights, which will assist efforts to reduce, as appropriate, duplication in the supervisory bodies of issues raised with respect to any given State party, and asks the Secretary-General to draw the report to the attention of the other treaty bodies;

6. *Encourages* the Secretary-General to proceed as soon as possible with the circulation of the detailed reporting manual to the various States parties to the United Nations human rights instruments, to assist them in the fulfilment of their reporting obligations;

7. *Again urges* States parties to make every effort to meet their reporting obligations and to assist, individually and through meetings of States parties, in identifying and implementing ways of further streamlining and improving reporting procedures as well as enhancing co-ordination and information flow between the treaty bodies and with relevant United Nations bodies, including specialized agencies;

8. *Welcomes* the emphasis placed by the meeting of persons chairing the human rights treaty bodies and by the Commission on Human Rights on the importance of technical assistance and advisory services and, therefore:

(*a*) Endorses the request of the Commission that the Secretary-General report regularly to it on possible technical assistance projects identified by the treaty bodies;

(*b*) Invites the treaty bodies to give priority attention to identifying such possibilities in the regular course of their work of reviewing the periodic reports of States parties;

9. *Endorses* the recommendations of the meeting of persons chairing the human rights treaty bodies on the need to ensure financing and adequate staffing resources for the operations of the treaty bodies and, with this in mind:

(*a*) Reiterates its request that the Secretary-General review the need for adequate staffing resources in regard to the various treaty bodies;

(*b*) Requests that the Secretary-General report on this question to the Commission on Human Rights at its forty-seventh session and to the General Assembly at its forty-sixth session;

10. *Calls upon* all States parties to meet fully and without delay their financial obligations under the relevant instruments on human rights, and requests the Secretary-General to consider ways and means of strengthening collection procedures and making them more effective;

11. *Welcomes* the fact that at its forty-sixth session the Commission on Human Rights, in its resolution 1990/25, noted that the General Assembly could consider alleviating the financial difficulties of treaty bodies, *inter alia*, by the temporary allocation of necessary funds by way of advances out of the regular budget of the United Nations, which would be reimbursed from the contributions received within the same budget year, this procedure being repeated until such time as a permanent solution to such difficulties can be implemented;

12. *Requests* the Secretary-General, as a matter of priority, to consider administrative and budgetary measures to alleviate the current financial difficulties of the treaty bodies and thus guarantee their regular functioning and to report on these measures to the Commission on Human Rights at its forty-seventh session;

13. *Emphasizes* that the adoption of any administrative and budgetary measures shall not prejudice the duty of States parties under United Nations human rights instruments to meet all their financial obligations pursuant to such instruments;

14. *Notes with interest* that the meeting of persons chairing the human rights treaty bodies recommended in October 1990 that the General Assembly take appropriate measures to ensure the financing of each of the committees from the regular budget of the United Nations;[11]

15. *Invites* the persons chairing the human rights treaty bodies to maintain communication and dialogue with each other on common issues and problems and, to this end, requests the Secretary-General, within existing resources, to convene a further meeting of the persons chairing the treaty bodies at a time to be established;

16. *Decides* to give priority consideration at its forty-sixth session to the conclusions and recommendations of the meetings of persons chairing treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Effective implementation of United Nations instruments on human

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[10] E/C.12/1989/3.

[11] See A/45/636, annex, para. 15.

rights and effective functioning of bodies established pursuant to such instruments".

68th plenary meeting
14 December 1990

45/86. Achievement of social justice

The General Assembly,

Recalling its resolutions 42/49 of 30 November 1987 and 44/55 of 8 December 1989, as well as Economic and Social Council resolutions 1988/46 of 27 May 1988 and 1989/71 of 24 May 1989, and taking note of Council resolution 1990/25 of 24 May 1990,

Recalling also the pledge made by States Members of the United Nations in the Charter to take joint and separate action to promote higher standards of living, full employment and conditions of economic and social progress and development,

Recognizing that more extensive international and regional co-operation is important for promoting social progress at the national level,

Bearing in mind that, in accordance with the Declaration on Social Progress and Development,[12] social progress and development shall be founded on respect for the dignity and value of the human person and shall ensure the promotion of human rights and social justice,

Mindful of the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future,[13] the Nairobi Forward-looking Strategies for the Advancement of Women,[14] the World Programme of Action concerning Disabled Persons[15] and the International Plan of Action on Aging,[16]

Persuaded of the importance of taking measures to ensure co-ordination within the United Nations system in order to develop a comprehensive approach to developmental social welfare, including better integrated and mutually supportive economic and social development policies, aimed at the achievement of social justice,

1. *Confirms* that social justice is one of the most important goals of social progress;

2. *Reaffirms* that the common purpose of the international community must be to forge from varied economic, social and political conditions a global environment of sustained development, full enjoyment of human rights and fundamental freedoms, and social justice and peace;

3. *Reaffirms* the importance of co-operation among countries in promoting a climate conducive to the achievement by individual countries of the goals of development and social justice and progress;

4. *Considers* that such co-operation and its promotion should continue to be a major focus of activities of the United Nations, in accordance with the principles of the Charter of the United Nations;

5. *Calls upon* Member States, in elaborating policies in the field of social development and for the improvement of the social situation of all population groups, to take into consideration the importance of achieving social justice for all;

6. *Recommends* that the Secretary-General, in preparing studies and reports on social problems, should examine the question of social justice and ways in which it could be achieved;

7. *Requests* the Commission for Social Development, at its next regular session, to consider the question of achieving social justice.

68th plenary meeting
14 December 1990

45/87. World social situation

The General Assembly,

Recalling its resolutions 1392 (XIV) of 20 November 1959, 2542 (XXIV) of 11 December 1969, 40/98 and 40/100 of 13 December 1985, 42/49 of 30 November 1987, 43/113 of 8 December 1988 and 44/56 of 8 December 1989 and Economic and Social Council resolutions 1987/39, 1987/40, 1987/46 and 1987/52 of 28 May 1987, 1989/72 of 24 May 1989 and Council decision 1989/113 of 28 July 1989, and taking note of Council resolution 1990/28 of 24 May 1990,

Bearing in mind the objective of improving the well-being of the world's population on the basis of the full and equal participation of all members of society in the process of development and the fair distribution to them of the benefits therefrom,

Conscious that each country has the sovereign right freely to adopt the economic and social system that it deems the most appropriate and that each Government has the primary responsibility of ensuring the social progress and well-being of the people,

Convinced of the urgent need to eradicate policies and practices that hinder social progress, including racism and racial discrimination, in particular *apartheid,*

Convinced also that the pace of development in the developing countries should be accelerated substantially in order to enable them to achieve that objective, especially to meet the basic needs for food, housing, education, employment and health care and to struggle against scourges which endanger the health and well-being of their population,

Deeply concerned about the worsening economic situation in many developing countries, particularly in the least developed countries, as evidenced by the significant decline in living conditions, the persistence and increase of widespread poverty in a large number of countries and the decline of the main social and economic indicators of those countries,

Bearing in mind the importance of the *1989 Report on the World Social Situation*[17] for increasing awareness of the advances made towards the goals of social progress and better standards of living, established in the Charter of the United Nations, and of the obstacles to further progress,

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[12] Resolution 2542 (XXIV).

[13] E/CONF.80/10, chap. III.

[14] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[15] A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

[16] See *Report of the World Assembly on Aging, Vienna, 26 July-6 August 1982* (United Nations publication, Sales No. E.82.I.16), chap. VI, sect. A.

[17] United Nations publication, Sales No. E.89.IV.1.

Believing that there is a need for greater efforts by the United Nations system to study and disseminate data on the existing world social situation, particularly in regard to the developing countries,

Taking note of the deliberations on the question of the world social situation by the Economic and Social Council at its first regular session of 1990,[18]

Having considered the supplement[19] to the *1989 Report on the World Social Situation,*

1. *Notes with satisfaction* that the supplement to the *1989 Report on the World Social Situation* takes into account the concerns and guidelines specified in General Assembly resolution 44/56 and Economic and Social Council resolution 1989/72;

2. *Recalls* the *1989 Report on the World Social Situation,* in particular the information on the critical situation in Africa contained in the annex to the report;

3. *Notes with satisfaction* the increasing awareness of the importance of formulating policy measures at all levels based on the interrelationships between economic growth, human development and social progress in the achievement of overall development;

4. *Notes with deep concern* the continuing deterioration of the economic and social situation in many developing countries, in particular in the least developed countries, whose numbers have increased over the years;

5. *Notes also with deep concern* the substantial weakening of the overall position of the developing countries in international trade and finance, which has been made worse by a long-term downward trend in commodity prices, a serious deterioration in the terms of trade, the net transfer of resources from developing countries, protectionism and the serious debt burden, combined with high real interest rates;

6. *Reaffirms* the commitments and policies for international development co-operation as set out in the Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,[20] adopted by the General Assembly at its eighteenth special session;

7. *Reaffirms also* the principles and objectives of the Declaration on Social Progress and Development [12] and calls for their effective realization as a means of attaining a more equitable world social situation;

8. *Calls upon* all Member States to promote economic development and social progress by the formulation and implementation of an interrelated set of policy measures to achieve the goals and objectives established within the framework of national plans and priorities for employment, education, health, nutrition, housing facilities, crime prevention, the well-being of children, equal opportunities for the disabled and the aging, full participation of youth in the development process and full integration and participation of women in development;

9. *Requests* the Secretary-General to continue monitoring the world social situation in depth on a regular basis and, in accordance with paragraph 10 of resolution 44/56, to submit an interim report to the General Assembly at its forty-sixth session, through the Commission of Social Development and the Economic and Social Council, and a full report in 1993;

10. *Endorses* the request of the Economic and Social Council, in paragraph 2 of its resolution 1990/28, that the Secretary-General take into account, in preparing the interim report, paragraph 4 of Council resolution 1989/72;

11. *Also endorses* the request made in paragraph 3 of Council resolution 1989/72 regarding the submission of a report by the Secretary-General to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the work being done within the United Nations system to improve and further develop quantitative and qualitative indicators that measure accurately the social condition and the standard of living of the world's population, particularly in developing countries;

12. *Requests* the Secretary-General to make the necessary arrangements to ensure the wider dissemination of reports on the world social situation;

13. *Invites* the organs, organizations and bodies of the United Nations system to co-operate fully with the Secretary-General in the preparation of future reports by making available all relevant information pertaining to their respective areas of competence and, in this connection, requests the Secretary-General to convene an inter-agency meeting before the preparation of the report;

14. *Decides* to include the item entitled "World social situation" in the provisional agenda of its forty-sixth session for the purpose of considering, *inter alia,* the interim report and the report mentioned in paragraph 11 above, and in the provisional agenda of its forty-eighth session for the purpose of considering the next full report in 1993.

68th plenary meeting
14 December 1990

45/88. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,[21] as well as its other relevant resolutions on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination,[22]

Reiterating the importance of the International Convention on the Elimination of All Forms of Racial Discrimination, which is the most widely accepted human rights instrument adopted under the auspices of the United Nations,

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[18] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 3* (A/45/3/Rev.1).

[19] A/45/137-E/1990/35.

[20] Resolution S-18/3, annex.

[21] Resolution 2106 A (XX), annex.

[22] Resolution 38/14, annex.

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Reiterating once again the need to intensify the struggle for the elimination of racism and racial discrimination throughout the world, especially the elimination of the system of *apartheid* in South Africa,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling the urgent appeals made by the Secretary-General, the General Assembly, the meetings of States parties to the Convention and the Committee itself to the States parties to honour their financial obligations under the Convention,

Gravely concerned that, despite those appeals and other efforts, the meeting schedule of the Committee has been interrupted and the proper functioning of the Committee continues to be affected,

Expressing its appreciation for the efforts made by the members of the Committee to explore ways and means to overcome the Committee's current financial crisis,

Having considered the report of the Secretary-General on the question of financing the expenses of the members of the Committee,[23]

1. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, which led to the cancellation of the spring 1990 session of the Committee on the Elimination of Racial Discrimination;

2. *Expresses once again its concern* that such a situation led to a further delay in the discharge of the substantive obligations of the Committee under the Convention;

3. *Commends* the Committee for its work with regard to the implementation of the Convention and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

4. *Takes note with appreciation* of the report of the Committee on the work of its thirty-eighth session;[24]

5. *Calls upon* States parties to fulfil their obligations under article 9, paragraph 1, of the Convention and to submit in due time their periodic reports on measures taken to implement the Convention;

6. *Strongly appeals* to all States parties, especially those in arrears, to fulfil their financial obligations under article 8, paragraph 6, of the Convention and to pay their outstanding contributions and, if possible, their contributions for 1991 before 1 February 1991, so as to enable the Committee to meet regularly;

7. *Requests* the Secretary-General to seek to obtain, at the earliest opportunity, the concurrence of the States parties to the Convention to the establishment of a "contingency reserve fund", as envisaged in Commission on Human Rights resolution 1990/25 of 27 February 1990;[3]

8. *Invites* the Secretary-General to explore other possibilities of establishing a more secure basis for future financing of all the costs of the Committee;

9. *Requests* the Secretary-General to invite those States parties which are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its forty-sixth session;

10. *Decides* to consider at its forty-sixth session, under the item entitled "Elimination of all forms of racial discrimination", the report of the Secretary-General on the financial situation of the Committee and the next report of the Committee.

68th plenary meeting
14 December 1990

45/89. Status of the International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its relevant resolutions adopted since 1973, the most recent of which is resolution 43/95 of 8 December 1988,

Expressing its satisfaction at the entry into force, on 3 December 1982, of the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination,[21]

1. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[25]

2. *Expresses its satisfaction* at the number of States that have ratified the Convention or acceded thereto;

3. *Reaffirms once again its conviction* that ratification of or accession to the Convention on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Second Decade to Combat Racism and Racial Discrimination;[26]

4. *Requests* those States which have not yet become parties to the Convention to ratify it or accede thereto;

5. *Calls upon* the States parties to the Convention to consider the possibility of making the declaration provided for in article 14 of the Convention;

6. *Requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.

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14 December 1990

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[23] A/45/579.

[24] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 18* (A/45/18).

[25] A/45/402.

[26] See resolution 38/14.

45/90. Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*

The General Assembly,

Recalling its resolutions 41/103 of 4 December 1986, 42/56 of 30 November 1987, 43/97 of 8 December 1988 and 44/69 of 8 December 1989,

Mindful that the International Convention on the Suppression and Punishment of the Crime of *Apartheid*[27] constitutes an important international treaty in the field of human rights and serves to implement the ideals of the Universal Declaration of Human Rights,[5]

Reaffirming its conviction that *apartheid* is a crime against humanity and constitutes a total negation of the purposes and principles of the Charter of the United Nations and a gross violation of human rights, seriously threatening international peace and security,

Strongly condemning the abhorrent policy and system of *apartheid* and the brutal repression it engenders, which continue to aggravate the situation in South Africa,

Emphasizing that the root cause of the conflict in southern Africa is *apartheid* and the racist régime's policy of aggression, State terrorism and destabilization against the front-line and other neighbouring States,

Condemning the continued collaboration of certain States and transnational corporations with the racist régime of South Africa in the political, economic, military and other fields as an encouragement to the intensification of its odious policy of *apartheid,*

Underlining that ratification of or accession to the Convention on a universal basis and the implementation of its provisions without any delay are necessary for its effectiveness and therefore will contribute to the eradication of the crime of *apartheid,*

1. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid;*[28]

2. *Commends* those States parties to the Convention that have submitted their reports under article VII thereof;

3. *Appeals once again* to those States that have not yet done so to ratify or to accede to the Convention without further delay, in particular those States that have jurisdiction over transnational corporations operating in South Africa and without whose co-operation such operations could not be halted;

4. *Underlines* the importance of the universal ratification of the Convention, which would be an effective contribution to the fulfilment of the ideals of the Universal Declaration of Human Rights and other human rights instruments;

5. *Calls upon* all States whose transnational corporations continue to do business with South Africa to take appropriate steps to terminate their dealings with South Africa;

6. *Requests* the Commission on Human Rights to intensify, in co-operation with the Special Committee against *Apartheid,* its efforts to compile periodically the progressive list of individuals, organizations, institutions and representatives of States deemed responsible for crimes enumerated in article II of the Convention, as well as those against whom or which legal proceedings have been undertaken;

7. *Requests* the Secretary-General to circulate that list among all States parties to the Convention and all Member States and to bring such facts to the attention of the public by all means of mass communication;

8. *Also requests* the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the forms of the crime of *apartheid,* as described in article II of the Convention, committed by transnational corporations operating in South Africa;

9. *Notes* the importance of measures to be taken by States parties in the field of teaching and education for fuller implementation of the Convention;

10. *Appeals* to all States, United Nations organs, the specialized agencies and international and national non-governmental organizations to step up their activities to enhance public awareness by denouncing the crimes committed by the racist régime with a view to promoting further ratification of or accession to the Convention;

11. *Requests* the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;

12. *Also requests* the Secretary-General to include in his next annual report under General Assembly resolution 3380 (XXX) of 10 November 1975 a special section concerning the implementation of the Convention.

68th plenary meeting
14 December 1990

45/91. Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons

The General Assembly,

Recalling all its relevant resolutions, including resolution 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,[15] and resolution 37/53 of 3 December 1982, in which, *inter alia,* it proclaimed the period 1983-1992 the United Nations Decade of Disabled Persons as a long-term plan of action,

Recalling also its resolution 43/98 of 8 December 1988, in which it urged Member States, intergovernmental and non-governmental organizations concerned to translate into action at all levels, as appropriate, the priorities for global activities and programmes during the second half of the Decade, such as those set forth in the annex to the resolution,

Recalling further the request to the Secretary-General made in its resolution 43/98 to conduct a feasibility study on the substantive, financial and administrative implications of alternative ways to mark the end of the Decade in 1992, which would include a review of the global progress achieved and obstacles encountered during the Decade and which would provide a mechanism for preparing the actions needed until the year 2000 and beyond,

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[27] Resolution 3068 (XXVIII), annex.

[28] A/45/406.

Recalling Economic and Social Council resolution 1989/52 of 24 May 1989, in particular paragraph 9, in which the Council invited the Secretary-General, in connection with the preparation of the feasibility study, to convene an expert meeting in 1990 to advise on the best possible ways of marking the end of the Decade,

Having considered with interest and appreciation the report of the Secretary-General on the feasibility study on alternative ways to mark the end of the Decade,[29] which was based on the outcome of a meeting of experts held at Järvenpää, Finland, from 7 to 11 May 1990, at the generous invitation and with the financial support of the Government of Finland,

Taking note of the suggestion contained in the report of the Secretary-General to consider the proposal for a ministerial-level world conference to mark the end of the Decade,[30]

Bearing in mind Economic and Social Council resolution 1990/26 of 24 May 1990 on the equalization of opportunities for disabled persons, in which the Council authorized the Commission for Social Development to consider, at its thirty-second session, the establishment of an *ad hoc* open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults,

Noting with satisfaction that the 1980s, during which the International Year of Disabled Persons and the Decade were observed, were a period of world-wide sensitization and awareness-raising efforts with respect to the rights and needs of disabled persons,

Convinced of the need to transform this awareness into action,

Noting with concern the deteriorating economic and social situation of some developing countries, which adversely affects vulnerable groups, including disabled persons,

Aware of the need for new and concerted efforts, more vigorous and broader action, and measures at all levels to fulfil the objectives of the Decade,

Expressing its appreciation for the efforts of a number of Member States during the Decade to improve the conditions and well-being of disabled persons and the willingness of those States to involve disabled persons and their organizations in all matters of concern to them,

Aware of the problem arising in some countries in relation to the translation of the terms "impairment", "disability", "handicap" and "disabled person" used in the World Programme of Action,

Noting with gratitude the generous support to the Voluntary Fund for the United Nations Decade of Disabled Persons provided by some Governments through voluntary contributions,

Aware of the important role national committees are playing in furthering the implementation of the World Programme of Action,

Encouraged by the emergence of organizations of disabled persons in some parts of the world and their positive influence on the image and condition of persons with disabilities,

Recognizing the World Congress of Rehabilitation International, the World Congress of Disabled Peoples' International, the General Assembly of the World Blind Union, Independence '92 and other such important events to be held in 1992 as important activities helping to mark the end of the Decade,

Noting the important contribution being made by other non-governmental organizations in improving the status of persons with disabilities,

Desirous of encouraging the continued and practical implementation of the World Programme of Action beyond the Decade,

1. *Stresses* the need to achieve the objectives set out in the agenda for action until the end of the United Nations Decade of Disabled Persons and beyond[31] and the preliminary outline of a long-term strategy to the year 2000 and beyond: a society for all,[32] as contained in the report of the Secretary-General on the feasibility study on alternative ways to mark the end of the Decade;

2. *Invites* Member States, specialized agencies and other organizations and bodies of the United Nations system, intergovernmental and non-governmental organizations to implement the agenda for action and the preliminary outline and to use them as guidelines and stimuli in preparing:

(*a*) National, regional and international agendas for action aimed at mounting well-focused activities at all levels to benefit people with disabilities in ways that are in conformity with the culture, customs, traditions, level of socio-economic development and resource constraints of each country;

(*b*) Long-term strategic plans with precise targets to be reached in the field of prevention, rehabilitation and equality of opportunities by the year 2000;

3. *Affirms* that, in implementing the agenda for action, special attention should be given to the disabled in developing countries;

4. *Requests* the Secretary-General to shift the focus of the United Nations programme on disability from awareness-raising to action, with the aim of achieving a society for all by the year 2010 and of responding more appropriately to the many requests for assistance and advisory services;

5. *Stresses* the need for priority to be given, within existing resources, to action-oriented programmes that will renew international consensus on and elicit a sustained political commitment by Member States to the implementation of the World Programme of Action beyond the Decade and will ensure the continued improvement of the situation of disabled persons;

6. *Requests* the Secretary-General to assist Member States in establishing and strengthening national committees on disability issues and similar co-ordinating

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[29] A/45/470.

[30] *Ibid.*, sect. II, para. 14.

[31] *Ibid.*, sect. III.

[32] *Ibid.*, sect. IV.

bodies and to promote and support the establishment of effective national organizations of disabled persons, including umbrella organizations;

7. *Also requests* the Secretary-General to review the translation into the official languages of the United Nations of the terms "impairment", "disability", "handicap" and "disabled person" used in the World Programme of Action;

8. *Emphasizes* the need to identify specific measures to strengthen the Disabled Persons Unit of the Centre for Social Development and Humanitarian Affairs of the Secretariat, within existing resources, in order to enable it to implement the objectives of the Decade;

9. *Welcomes* the support already provided by some Governments to the Voluntary Fund for the United Nations Decade of Disabled Persons and appeals for further voluntary contributions in order to strengthen the Disabled Persons Unit and to enable it to perform its focal-point functions;

10. *Reaffirms* that the resources of the Voluntary Fund should be used to support catalytic and innovative activities in order to implement further the objectives of the World Programme of Action within the framework of the Decade, with priority given, as appropriate, to programmes and projects of the least developed countries;

11. *Invites* Governments and non-governmental organizations to continue their contributions to the Voluntary Fund, and calls upon Governments and non-governmental organizations that have not yet done so to consider contributing to the Voluntary Fund so as to enable it to respond effectively to the growing demand for assistance;

12. *Also invites* Member States to submit updated national reports to the Secretary-General on the implementation of the agenda for action;

13. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons".

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45/92. Human rights and scientific and technological developments

The General Assembly,

Mindful of the provisions of the Universal Declaration of Human Rights,[5] the International Covenant on Civil and Political Rights,[33] the International Covenant on Economic, Social and Cultural Rights[33] and other relevant instruments, such as the Declaration on the Rights of Disabled Persons[34] and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[35]

Recalling its resolution 33/53 of 14 December 1978, in which it requested the Commission on Human Rights to urge the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake, as a matter of priority, a study of the question of the protection of those detained on the grounds of mental ill-health, with a view to formulating guidelines,

Recalling also its resolution 44/134 of 15 December 1989, in which it welcomed the establishment of the open-ended Working Group of the Commission on Human Rights to examine, revise and simplify as necessary the draft body of principles and guarantees submitted by the Sub-Commission,

Taking note of Commission on Human Rights resolution 1990/38 of 6 March 1990[3] and Economic and Social Council resolution 1990/37 of 25 May 1990, by which the Council authorized the Working Group to continue its work with a view to submitting the draft body of principles and guarantees to the Commission at its forty-seventh session,

1. *Welcomes* the significant progress made by the Working Group in the elaboration of a body of principles for the protection of persons with mental illness and for the improvement of mental health care, and urges the Group to complete its work expeditiously for submission to the Commission on Human Rights;

2. *Requests* the Commission on Human Rights to consider the subject at its forty-seventh session, in the light of the report and recommendations of the Working Group, with a view to submitting the draft principles to the General Assembly at its forty-sixth session, through the Economic and Social Council.

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45/93. Human rights and scientific and technological developments

The General Assembly,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Bearing in mind the relevant provisions of the Universal Declaration of Human Rights,[5] the International Covenant on Economic, Social and Cultural Rights,[33] the International Covenant on Civil and Political Rights[33] and the Declaration on Social Progress and Development,[12]

Conscious that it is only the creative genius of humankind that makes progress and the development of civilization possible in a peaceful environment and that human life must be recognized as supreme,

Recalling the fundamental importance of the right to life,

Bearing in mind also that the exchange and transfer of scientific and technological knowledge is one of the important ways to accelerate the social and economic development of the developing countries,

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[33] See resolution 2200 A (XXI), annex.

[34] Resolution 3447 (XXX).

[35] Resolution 43/173, annex.

1. *Calls upon* all States to make every effort to use the achievements of science and technology in order to promote peaceful social, economic and cultural development and progress;

2. *Recalls* the historic responsibility of the Governments of all countries of the world to preserve civilization and to ensure that everyone enjoys his or her inherent right to life, and calls upon them to do their utmost to assist in implementing the right to life through the adoption of appropriate measures at both the national and the international levels;

3. *Also calls upon* all States, appropriate United Nations bodies, the specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress and the material and intellectual potential of mankind are used for the benefit of mankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;

4. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Human rights and scientific and technological developments".

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14 December 1990

45/94. Need to ensure a healthy environment for the well-being of individuals

The General Assembly,

Recalling that, in accordance with the provisions of the Universal Declaration of Human Rights[5] and the International Covenant on Economic, Social and Cultural Rights,[33] everyone has the right to an adequate standard of living for his or her own health and well-being and that of his or her family and to the continuous improvement of living conditions,

Recognizing the need to promote universal respect for, and observance of, human rights and fundamental freedoms in all their aspects,

Considering that a better and healthier environment can help contribute to the full enjoyment of human rights by all,

Reaffirming that, in accordance with the Declaration of the United Nations Conference on the Human Environment,[36] men and women have the fundamental right to freedom, equality and adequate conditions of life in an environment of a quality that permits a life of dignity and well-being, and that they bear a solemn responsibility to protect and improve the environment for present and future generations,

Bearing in mind the fact that increasing environmental degradation could endanger the very basis of life,

Bearing in mind also that the economic growth and development of the developing countries are essential in order to address the problems of the degradation and protection of the environment,

Emphasizing the increasing role of the United Nations in addressing global environmental problems,

Recalling that the United Nations Conference on Environment and Development, to be held in Brazil in 1992, will elaborate strategies and measures to halt and reverse the effects of environmental degradation in the context of strengthened national and international efforts to promote sustainable and environmentally sound development in all countries,

Stressing the importance for all countries to take effective actions for the protection and enhancement of the environment in accordance with their respective capacities and responsibilities and taking into account the specific needs of developing countries and that, as the major sources of pollution, the developed countries have the main responsibility for taking appropriate measures urgently,

Welcoming Commission on Human Rights resolution 1990/41 of 6 March 1990[3] and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1990/7 of 30 August 1990,[37] in which they decided to study the problems of the environment and its relation to human rights,

1. *Recognizes* that all individuals are entitled to live in an environment adequate for their health and well-being;

2. *Calls upon* Member States and intergovernmental and non-governmental organizations dealing with environmental questions to enhance their efforts towards ensuring a better and healthier environment;

3. *Encourages* the Commission on Human Rights, with the assistance of its Sub-Commission on Prevention of Discrimination and Protection of Minorities, to continue studying the problems of the environment and its relation to human rights, with a view to submitting to the Preparatory Committee of the United Nations Conference on Environment and Development, through the Economic and Social Council, a report on the progress made on the matter;

4. *Believes* that appropriate organs of the United Nations, within their respective competences, should pursue active efforts in seeking to promote a better and healthier environment.

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45/95. Guidelines for the regulation of computerized personal data files

The General Assembly,

Recalling its resolution 44/132 of 15 December 1989,

Bearing in mind Commission on Human Rights resolution 1990/42 of 6 March 1990[3] and Economic and Social Council resolution 1990/38 of 25 May 1990, entitled "Guidelines on the use of computerized personal files",

1. *Expresses its appreciation* to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Louis Joinet, for his report containing a revised version of the draft guidelines for the regulation of computerized personal data files;[38]

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[36] *Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972* (United Nations publication, Sales No. E.73.II.A.14 and corrigendum), chap. I.

[37] See E/CN.4/1991/2-E/CN.4/Sub.2/1990/59.

[38] E/CN.4/1990/72.

2. *Conveys its thanks* to the Governments that have communicated to the Secretary-General their comments and suggestions[39] concerning the previous version of the draft guidelines;[40]

3. *Adopts* the guidelines for the regulation of computerized personal data files in their revised version;

4. *Requests* Governments to take into account those guidelines in their legislation and administrative regulations;

5. *Requests* governmental, intergovernmental and non-governmental organizations to respect those guidelines in carrying out the activities within their field of competence.

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14 December 1990

45/96. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Recalling also the purposes and principles of the Charter to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Emphasizing the significance and validity of the Universal Declaration of Human Rights[5] and of the International Covenants on Human Rights[33] in promoting respect for and observance of human rights and fundamental freedoms,

Recalling further its resolutions relating to the right to development and its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

Noting with concern that many of the principles enunciated therein have not yet been taken under consideration by the international community with all the necessary dynamism and objectivity,

Emphasizing also the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development,[41]

Recalling Commission on Human Rights resolutions 1990/17 and 1990/18 of 23 February 1990,[3]

Taking into account the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[42]

Reiterating that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

Expressing its particular concern about the progressive worsening of living conditions in the developing world and the negative impact thereof on the full enjoyment of human rights, and especially about the very serious economic situation of the African continent and the disastrous effects of the heavy burden of the external debt for the peoples of Africa, Asia and Latin America,

Reiterating its profound conviction that all human rights and fundamental freedoms are indivisible and interdependent and that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights,

Deeply convinced that today more than ever, economic and social development and human rights are complementary elements leading to the same goal, that is, the maintenance of peace and justice among nations as the foundation for the ideals of freedom and well-being to which mankind aspires,

Reiterating that co-operation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

Convinced that the primary aim of such international co-operation must be the achievement by all human beings of a life of freedom and dignity and freedom from want,

Considering that the efforts of the developing countries for their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

1. *Reiterates its request* that the Commission on Human Rights should continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms;

2. *Affirms* that a primary aim of international co-operation in the field of human rights is a life of freedom, dignity and peace for all peoples and for every human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from promoting and protecting the others;

3. *Reaffirms* that equal attention and urgent consideration should be given to the implementation, promo-

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[39] See A/44/606 and Add.1.

[40] E/CN.4/Sub.2/1988/22.

[41] Resolution 41/128, annex.

[42] A/44/551-S/20870, annex.

tion and protection of civil and political rights and of economic, social and cultural rights;

4. *Reiterates once again* that the international community should accord, or continue to accord, priority to the search for solutions to mass and flagrant violations of human rights of peoples and individuals affected by situations such as those mentioned in paragraph 1 (*e*) of General Assembly resolution 32/130, paying due attention also to other situations of violations of human rights;

5. *Reaffirms also* that the right to development is an inalienable human right;

6. *Reaffirms further* that international peace and security are essential elements for achieving full realization of the right to development;

7. *Recognizes* that all human rights and fundamental freedoms are indivisible and interdependent;

8. *Considers it necessary* for all Member States to promote international co-operation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, with a view to solving international economic, social and humanitarian problems;

9. *Urges* all States to co-operate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

10. *Reaffirms once again* that, in order to facilitate the full enjoyment of all human rights without diminishing personal dignity, it is necessary to promote the rights to education, work, health and proper nourishment through the adoption of measures at the national level, including those that provide for the right of workers to participate in management, as well as the adoption of measures at the international level, including the establishment of the new international economic order;

11. *Decides* that the approach to future work within the United Nations system on human rights matters should also take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;

12. *Decides also* to include in the provisional agenda of its forty-sixth session the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

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45/97. Right to development

The General Assembly,

Recalling the proclamation by the General Assembly at its forty-first session of the Declaration on the Right to Development,[41]

Recalling also its resolutions and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1990/18 of 23 February 1990,[3] endorsed by the Economic and Social Council by its decision 1990/225 of 25 May 1990,

Reiterating the importance of the right to development for all countries, in particular the developing countries,

Mindful that the Commission on Human Rights has entered a new phase in its consideration of this matter, which is directed towards the implementation and further enhancement of the right to development,

Having considered the report on the Global Consultation on the Realization of the Right to Development as a Human Right,[43]

Reaffirming the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Aware of the interest in participation in the Global Consultation expressed by several Member States, specialized agencies and non-governmental organizations,

1. *Takes note with interest* of the report on the Global Consultation on the Realization of the Right to Development as a Human Right, which was organized by the Secretary-General in pursuance of General Assembly resolution 44/62 of 8 December 1989;

2. *Expresses the hope* that Governments, United Nations bodies and organs and specialized agencies and governmental and non-governmental organizations, including those active in development and human rights, will submit, at the request of the Secretary-General based on Commission on Human Rights resolution 1990/18, additional, updated and more specific views and concrete comments and proposals for further international and national action aimed at strengthening existing, or creating possible new, mechanisms for the promotion and protection of human rights, taking into account the ideas contained in chapter VII of the report on the Global Consultation and the views expressed on the issue during the debate at the forty-sixth session of the Commission, including the creation of a group of experts;

3. *Reiterates* the need for a continuing evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development;

4. *Requests* the Office of the Director-General for Development and International Economic Co-operation and the Centre for Human Rights of the Secretariat to continue co-ordination of the various activities with regard to the implementation of the Declaration;

5. *Urges* all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to contribute to its application;

6. *Urges* the regional commissions and regional intergovernmental organizations to convene meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking agreement on arrangements for the implementation of the Declaration through international co-operation;

7. *Requests* the Secretary-General to inform the Commission on Human Rights at its forty-seventh session and the General Assembly at its forty-sixth session

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[43] E/CN.4/1990/9/Rev.1.

of the activities of the organizations of the United Nations system on the implementation of the Declaration;

8. *Calls upon* the Commission to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration, taking into account the conclusions and recommendations of the Global Consultation and replies received;

9. *Decides* to consider this question at its forty-sixth session under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

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45/98. Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States

The General Assembly,

Recalling its resolutions 41/132 of 4 December 1986 and 43/123 of 8 December 1988,

Reaffirming the right of States and their peoples freely to choose and develop their political, social, economic and cultural systems and to determine their laws and regulations,

Recognizing the value of constructive dialogue in the national context on the ways and means by which States can promote the full enjoyment of the right of everyone to own property alone as well as in association with others,

Recognizing also in this context the importance of enabling everyone to acquire property, alone or in association with others, by taking practical actions that assist the economic development of developing countries,

Convinced that the right of everyone to own property alone as well as in association with others, as set forth in article 17 of the Universal Declaration of Human Rights[5] and as reaffirmed in paragraph 4 of the Declaration on the Rights of Disabled Persons[34] and in article 16, paragraph 1 (*h*), of the Convention on the Elimination of All Forms of Discrimination against Women,[44] is of particular significance in fostering widespread enjoyment of other basic human rights and contributes to securing the goals of economic and social development enshrined in the Charter of the United Nations,

Reaffirming, in accordance with article 29 of the Universal Declaration of Human Rights, that, in the exercise of his or her rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition of and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

Taking note of the report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States,[45]

1. *Recognizes* that there exist in Member States many forms of legal property ownership, including private, communal, social and state forms, each of which should contribute to ensuring effective development and utilization of human resources by establishing sound bases for political, economic and social justice;

2. *Affirms,* in accordance with article 30 of the Universal Declaration of Human Rights, that nothing in the Declaration, including the right of everyone to own property alone as well as in association with others, may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms proclaimed therein;

3. *Considers* that further measures may be appropriate at the national level, consistent with national policies, to ensure respect for the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property, as set forth in article 17 of the Universal Declaration of Human Rights, so as to protect and preserve these rights in relation to the following types of property:

(*a*) Personal property, including the residence of one's self and family;

(*b*) Economically productive property, including property associated with agriculture, commerce and industry;

4. *Urges* States, therefore, in accordance with their respective constitutional systems and the Universal Declaration of Human Rights, to provide, where they have not done so, adequate constitutional and legal provisions to protect the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property;

5. *Requests* the Commission on Human Rights, while addressing the question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights,[33] to consider the means whereby and the degree to which respect for the right to own property alone as well as in association with others contributes to the development of individual liberty and initiative, which serve to foster, strengthen and enhance the exercise of other human rights and fundamental freedoms;

6. *Decides* to consider this question at its forty-seventh session under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

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[44] Resolution 34/180, annex.

[45] A/45/523.

45/99. Development of public information activities in the field of human rights

The General Assembly,

Reaffirming that activities to improve public knowledge in the field of human rights are essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations and that carefully designed programmes of teaching, education and information are essential to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling the resolutions adopted on this subject, in particular its resolutions 43/128 of 8 December 1988 and 44/61 of 8 December 1989, and taking note of Commission on Human Rights resolution 1990/73 of 7 March 1990,[3]

Recognizing the catalytic effect of initiatives of the United Nations on national and regional public information activities in the field of human rights,

Recognizing also the valuable role that non-governmental organizations can play in those endeavours,

Recognizing further that the eradication of illiteracy will further the promotion and protection of human rights,

Believing that the World Public Information Campaign on Human Rights is a valuable complement to the activities of the United Nations further to promote and to protect human rights world-wide,

1. *Takes note* of the report of the Secretary-General on the development of the public information activities in the field of human rights;[46]

2. *Reaffirms* the need for information materials on human rights to be carefully designed in clear and accessible form, to be tailored to regional and national requirements and circumstances with specific target audiences in mind and to be effectively disseminated in national and local languages and in sufficient volume to have the desired impact, and for effective use also to be made of the mass media, in particular radio and television and audio-visual technologies, in order to reach wider audiences, with priority being given to children, other young people and the disadvantaged, including those in isolated areas;

3. *Urges* the Secretariat to take measures to ensure the further production and effective dissemination of human rights information materials, especially those on the basic United Nations human rights instruments and institutions, in national and local languages, in co-operation with regional, national and local organizations as well as with Governments, making full and effective use of the United Nations information centres;

4. *Requests* the Secretary-General to produce audio-visual materials on human rights issues which could be used as effective tools of information within the framework of the World Public Information Campaign for Human Rights and which would be made available at United Nations information centres and United Nations offices world-wide and to report on the progress made to the Commission on Human Rights at its forty-seventh session;

5. *Encourages* the efforts of the Secretariat to establish, within available resources, the collection of basic United Nations information and reference material on human rights and fundamental freedoms at each United Nations information centre;

6. *Encourages* all Member States to make special efforts to provide, facilitate and encourage publicity for the activities of the United Nations in the field of human rights and to accord priority to the dissemination, in their respective national and local languages, of the texts of the Universal Declaration of Human Rights,[5] the International Covenants on Human Rights[33] and other international conventions, as well as to information and education on the practical ways in which the rights and freedoms enjoyed under those instruments can be exercised;

7. *Urges* all Member States to include in their educational curricula materials relevant to a comprehensive understanding of human rights issues, and encourages all those responsible for training in law and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate human rights components in their programmes;

8. *Requests* the Secretary-General to continue to draw the attention of Member States to the teaching booklet on human rights, which could serve as a broad and flexible framework adaptable to national circumstances for the structuring and development of the teaching of human rights;

9. *Notes* the special value, under the advisory services and technical assistance programme, of regional and national training courses and workshops, in co-operation with Governments, regional and national organizations and non-governmental organizations, in promoting practical education and awareness in the field of human rights;

10. *Also requests* the Secretary-General to ensure the fullest effective deployment of the skills and resources of all concerned units of the Secretariat and to make available, within existing resources, and in particular from the budget of the Department of Public Information of the Secretariat, adequate funding for developing practical and effective human rights information activities, including those within the programme of the World Public Information Campaign for Human Rights;

11. *Calls upon* the Centre for Human Rights of the Secretariat, which has primary responsibility within the United Nations system in the field of human rights, to co-ordinate the substantive activities of the World Campaign pursuant to the direction of the General Assembly and the Commission on Human Rights, and to serve as liaison with Governments, regional and national institutions, non-governmental organizations and concerned individuals in the development and implementation of the activities of the World Campaign;

12. *Calls upon* the Department of Public Information, which has primary responsibility for public information activities, to co-ordinate the public information activities of the World Campaign and, in its responsibility as secretariat to the Joint United Nations Information Committee, to promote co-ordinated system-wide information activities in the field of human rights;

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[46] A/45/590.

13. *Stresses* the need for close co-operation between the Centre for Human Rights and the Department of Public Information, *inter alia,* in the implementation of the aims established for the World Campaign and the need for the United Nations to harmonize its activities in the field of human rights with those of other organizations, including the International Committee of the Red Cross, with regard to the dissemination of information on international humanitarian law, and the United Nations Educational, Scientific and Cultural Organization, with regard to education for human rights;

14. *Requests* the Secretariat, in the implementation of the World Campaign, to take advantage, as much as possible, of the collaboration of non-governmental organizations for, *inter alia,* the dissemination of human rights materials, with a view to increasing universal awareness of human rights and fundamental freedoms;

15. *Requests* the Commission on Human Rights, at its forty-seventh session, on the basis of the report of the Secretary-General, to give priority consideration to this question with a view to providing appropriate guidance on the aims and activities of the World Campaign;

16. *Requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a comprehensive report on the implementation of the present resolution for consideration under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

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45/100. Humanitarian assistance to victims of natural disasters and similar emergency situations

The General Assembly,

Recalling its resolution 43/131 of 8 December 1988,

Recalling that one of the principles of the United Nations is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion,

Reaffirming the sovereignty, territorial integrity and national unity of States, and recognizing that it is up to each State first and foremost to take care of the victims of natural disasters and similar emergency situations occurring on its territory,

Deeply concerned about the suffering of the victims of natural disasters and similar emergency situations, the loss in human lives, the destruction of property and the mass displacement of populations that results from them,

Concerned about the fate of persons who, following such displacement, are in an extremely precarious situation, particularly in a country other than that of which they are nationals,

Considering that the abandonment of the victims of natural disasters and similar emergency situations without humanitarian assistance constitutes a threat to human life and an offence to human dignity,

Strongly desiring that the international community should respond speedily and effectively to the needs for emergency humanitarian assistance expressed in particular through the Secretary-General,

Concerned about the difficulties and obstacles that victims of natural disasters and similar emergency situations may encounter in receiving humanitarian assistance,

Convinced that, in providing humanitarian assistance, in particular the supply of food, medicines or health care, for which access to victims is essential, rapid relief will avoid a tragic increase in the number of victims,

Recalling, in this regard, the Cairo Declaration[47] adopted by the World Food Council at its fifteenth session, proposing, *inter alia,* an international agreement on the transport of emergency food aid,

Aware that alongside the action of Governments and intergovernmental organizations, the speed and efficiency of this assistance often depend on the help and aid of local and non-governmental organizations working in an impartial manner and with strictly humanitarian motives,

Reaffirming the need for the intergovernmental, governmental and non-governmental organizations dealing with humanitarian assistance to co-operate as closely as possible with the Office of the United Nations Disaster Relief Co-ordinator or any *ad hoc* mechanism set up by the Secretary-General in the co-ordination of aid,

Concerned about the effectiveness of such assistance, which requires an accurate evaluation of needs, efficient preparation of actions and effective co-ordination in conducting them,

Recalling that, in the event of natural disasters and similar emergency situations, the principles of humanity, neutrality and impartiality must be given utmost consideration by all those involved in providing humanitarian assistance,

1. *Reaffirms* the cardinal importance of humanitarian assistance for the victims of natural disasters and similar emergency situations;

2. *Reaffirms also* the sovereignty of affected States and their primary role in the initiation, organization, co-ordination and implementation of humanitarian assistance within their respective territories;

3. *Stresses* the important contribution made in providing humanitarian assistance by intergovernmental and non-governmental organizations working impartially and with strictly humanitarian motives;

4. *Invites* all States whose populations are in need of such assistance to facilitate the work of these organizations in implementing humanitarian assistance, in particular the supply of food, medicines and health care, for which access to victims is essential;

5. *Appeals,* therefore, to all States to give their support to these organizations working to provide humanitarian assistance, where needed, to the victims of natural disasters and similar emergency situations;

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[47] See *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 19* (A/44/19), part one.

6. *Notes with satisfaction* the report of the Secretary-General[48] on the implementation of resolution 43/131 and the suggestions which he makes concerning means of facilitating humanitarian assistance operations, in particular the possibility of establishing, on a temporary basis, where needed, and by means of concerted action by affected Governments and the Governments and intergovernmental, governmental and non-governmental organizations concerned, relief corridors for the distribution of emergency medical and food aid;

7. *Urges* States in proximity to areas of natural disasters and similar emergency situations, particularly in the case of regions that are difficult to reach, to participate closely with the affected countries in international efforts with a view to facilitating, to the extent possible, the transit of humanitarian assistance;

8. *Requests* the Secretary-General to pursue, within existing resources, the necessary consultations with Governments and intergovernmental, governmental and non-governmental organizations with a view to determining means of facilitating the delivery of appropriate humanitarian assistance to the victims of natural disasters or similar emergency situations, including the establishment of relief corridors, on the basis of the report of the Secretary-General and on the terms set out in paragraph 6 of the present resolution, and to report thereon to the General Assembly at its forty-seventh session;

9. *Invites* the Secretary-General to study, within existing resources, the possibility of preparing, on the basis of information furnished by Governments and the relevant governmental and non-governmental international organizations and taking into account the work already done in this area by the United Nations, in particular by the Office of the United Nations Disaster Relief Co-ordinator, an indicative list of persons and bodies with expert knowledge of the delivery and management of emergency humanitarian assistance whom the United Nations could call upon, with the consent of the States concerned, to make an accurate and speedy assessment of the needs and a realistic determination of the best means of delivering the aid;

10. *Decides* to consider this question at its forty-seventh session.

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45/101. New international humanitarian order

The General Assembly,

Recalling its resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982, 38/125 of 16 December 1983, 40/126 of 13 December 1985, 42/120 and 42/121 of 7 December 1987 and 43/129 of 8 December 1988 relating to the promotion of a new international humanitarian order,

Taking note of the report of the Secretary-General[49] and the comments made by various Governments regarding the humanitarian order and the work done in this regard by the Independent Commission on International Humanitarian Issues,

Noting the actions being taken by the specialized agencies and programmes of the United Nations system with regard to the humanitarian issues, examined by the Independent Commission, that fall within their respective mandates,

Recognizing with concern the continuing need further to strengthen international responses to growing humanitarian challenges and to adjust actions of governmental and non-governmental organizations to new realities in a fast-changing world,

Bearing in mind the importance of creative humanitarian action at the international as well as the regional and national levels to alleviate human suffering and to promote durable solutions to humanitarian problems,

Convinced of the need for active follow-up to the recommendations and suggestions made by the Independent Commission, and noting the role being played in this regard by the Independent Bureau for Humanitarian Issues set up for the purpose,

1. *Expresses its appreciation* to the Secretary-General for his continuing active support to the efforts to promote a new international humanitarian order;

2. *Encourages* Governments as well as governmental and non-governmental organizations that have not yet done so to provide their comments and expertise to the Secretary-General regarding the humanitarian order and the report of the Independent Commission on International Humanitarian Issues;

3. *Invites* the Independent Bureau for Humanitarian Issues to continue and further strengthen its essential role in following up the work of the Independent Commission;

4. *Invites* Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian issues of concern to them in order to identify opportunities for future action;

5. *Requests* the Secretary-General to remain in contact with Governments as well as governmental and non-governmental organizations and the Independent Bureau for Humanitarian Issues and to report on the progress made by them to the General Assembly at its forty-seventh session;

6. *Decides* to review at its forty-seventh session the question of a new international humanitarian order.

68th plenary meeting
14 December 1990

45/102. Promotion of international co-operation in the humanitarian field

The General Assembly,

Recalling its resolutions 42/121 of 7 December 1987 and 43/130 of 8 December 1988,

Noting that one of the purposes of the United Nations, set forth in its Charter, is to achieve international co-operation in solving international problems of a humanitarian character,

Recalling also the Universal Declaration of Human Rights,[5] which proclaims, *inter alia,* that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

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[48] A/45/587.
[49] A/45/524.

Recalling further that everyone is entitled to a social and international order in which universally recognized human rights and fundamental freedoms can be fully realized,

Mindful of the fact that unresolved humanitarian problems may impede the effective realization of human rights and even lead to violations of these rights,

Convinced that solving humanitarian problems requires co-operation and harmonization of actions taken by Governments, international bodies, non-governmental organizations and individuals,

Mindful also of the significance of the existing workable system to promote, facilitate and co-ordinate humanitarian activities carried out by Governments, the United Nations system and intergovernmental and non-governmental organizations,

1. *Calls upon* Governments, the United Nations system and intergovernmental and non-governmental organizations further to develop international co-operation in the humanitarian field;

2. *Reiterates* that international co-operation in the humanitarian field will facilitate better understanding, mutual respect, confidence and tolerance among countries and peoples, thus contributing to a more just and non-violent world;

3. *Notes* the need to identify humanitarian problems of the highest priority and to develop a universal strategy of action in the humanitarian field;

4. *Invites* Governments to promote, within existing mechanisms, regular exchanges of information and of national experience in addressing humanitarian problems;

5. *Calls* for the broadening of the concept of international co-operation in the humanitarian field through effective bilateral dialogue and activities pertaining to specific humanitarian issues;

6. *Encourages* the international community to contribute substantially and regularly to international humanitarian activities;

7. *Invites* all non-governmental organizations concerned with the humanitarian issues examined by the Independent Commission on International Humanitarian Issues and working with strictly humanitarian motives to bear in mind the recommendations and suggestions made in the report of the Independent Commission[50] in the context of their policies and actions in the field;

8. *Decides* to consider this issue at its forty-seventh session under the item entitled "New international humanitarian order".

68th plenary meeting
14 December 1990

45/103. Policies and programmes involving youth

The General Assembly,

Recalling its resolutions 32/135 of 16 December 1977 and 36/17 of 9 November 1981, by which it adopted guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations, and its other relevant resolutions,

Recalling also its resolution 40/14 entitled "International Youth Year: Participation, Development, Peace", adopted on 18 November 1985 by the General Assembly acting as the United Nations World Conference for the International Youth Year, by which the guidelines for further planning and suitable follow-up in the field of youth[51] were endorsed, and its other relevant resolutions,

Recalling further its resolution 44/59 of 8 December 1989,

Noting that the year 1995 will mark the fiftieth anniversary of the Charter of the United Nations and the tenth anniversary of International Youth Year,

Recognizing that, in implementing the guidelines, priority should be given to the enjoyment by youth of human rights, including the right to education and to work, and to the resolution of other urgent problems faced by young people in the present-day world, such as hunger, drug abuse, diseases, including acquired immunodeficiency syndrome, and the deterioration of the environment,

Mindful of the Convention on the Rights of the Child,[52] which entered into force on 2 September 1990, the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children on 30 September 1990,[53] and the International Year of the Family proclaimed by the General Assembly in its resolution 44/82 of 8 December 1989,

1. *Calls upon* all States, all United Nations bodies, in particular the Economic and Social Council through the Commission for Social Development, the specialized agencies and the intergovernmental and non-governmental organizations concerned, in particular youth organizations, to continue to exert all possible efforts for the implementation of the guidelines for further planning and suitable follow-up in the field of youth;

2. *Requests* the Secretary-General to continue to promote and monitor, by using the Centre for Social Development and Humanitarian Affairs of the Secretariat as a focal point, the inclusion of youth-related projects and activities in the programmes of United Nations bodies and specialized agencies, specifically on such themes as communication, health, malnutrition, poverty, housing, culture, youth employment, illiteracy, juvenile delinquency, education, leisure-time activities, drug abuse and the environment;

3. *Calls upon* Member States to enable young people to obtain a modern education on such subjects as environmental issues;

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[50] *Winning the Human Race? The Report of the Independent Commission on International Humanitarian Issues* (London and New Jersey, Zed Books Ltd., 1988).

[51] See A/40/256, annex.

[52] Resolution 44/25, annex.

[53] A/45/625, annex.

4. *Decides* to devote a plenary meeting at its fiftieth session to youth questions, as 1995 marks the fiftieth anniversary of the Charter of the United Nations and the tenth anniversary of International Youth Year;

5. *Calls upon* the United Nations Postal Administration to produce commemorative United Nations stamps in 1995 to mark the tenth anniversary of International Youth Year;

6. *Emphasizes* the need for a review and appraisal of the progress achieved and obstacles encountered in the implementation of the guidelines and, on the basis of the evaluation, for preparation of a global youth programme of action towards the year 2000 and beyond, with a target orientation and within a specific time-frame;

7. *Invites* all Member States to consider preparing a national plan of action based on an analytical national evaluation of the situation and needs of youth;

8. *Calls again upon* Member States, United Nations bodies, the specialized agencies and other governmental and intergovernmental organizations to implement fully the guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations, adopted by the General Assembly in its resolutions 32/135 and 36/17;

9. *Requests* the regional commissions, as appropriate, together with regional youth and youth-serving organizations, to undertake a comprehensive review of progress achieved and obstacles encountered in the regions since 1985 and to propose draft regional youth programmes of action towards the year 2000 and beyond;

10. *Requests* the Secretary-General to prepare a draft world youth programme of action towards the year 2000 and beyond in accordance with proposals to be submitted by Member States, the United Nations and non-governmental youth organizations and in consultation with the specialized agencies and other organizations of the United Nations system and the relevant intergovernmental and non-governmental organizations, and to report thereon to the General Assembly at its forty-sixth session;

11. *Calls upon* youth mechanisms that have been set up by youth and youth organizations at the national, regional and international levels to continue to act as channels of communication between the United Nations system and youth and youth organizations and, especially, to contribute to the preparations for the tenth anniversary of International Youth Year and to the formulation of a world youth programme of action towards the year 2000 and beyond;

12. *Again invites* Governments to include youth representatives in their national delegations to the General Assembly and other relevant United Nations meetings, thus enhancing and strengthening the channels of communication through the discussion of youth-related issues, with a view to finding solutions to the problems confronting youth in the contemporary world;

13. *Invites* Governments and intergovernmental and non-governmental organizations to contribute to the United Nations Youth Fund, in order to enable it to continue its mandated role and to contribute effectively to the needs of developing countries in the field of youth;

14. *Decides* to consider the item entitled "Policies and programmes involving youth" at its forty-sixth session on the basis of a report of the Secretary-General on the implementation of the present resolution.

68th plenary meeting
14 December 1990

45/104. Convention on the Rights of the Child

The General Assembly,

Recalling its previous resolutions and those of the Commission on Human Rights and the Economic and Social Council related to the question of a convention on the rights of the child,

Recalling in particular its resolution 44/25 of 20 November 1989, by which it adopted and opened for signature, ratification and accession the Convention on the Rights of the Child and called upon all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority,

Reaffirming that children's rights require special protection and call for continuous improvement of the situation of children all over the world, as well as for their development and education in conditions of peace and security,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social conditions, natural disasters, armed conflicts, exploitation, illiteracy, hunger and disability, and convinced that urgent and effective national and international action is called for,

Mindful of the important role of the United Nations Children's Fund and of the United Nations in promoting the well-being of children and their development,

Convinced that the Convention on the Rights of the Child, as a standard-setting accomplishment of the United Nations in the field of human rights, makes a positive contribution to protecting children's rights and ensuring their well-being,

Welcoming with satisfaction the successful conclusion of the World Summit for Children, held in New York on 29 and 30 September 1990, in particular the adoption of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,[53] and stressing the necessity to ensure follow-up to the Summit at the national and international levels,

Encouraged by the fact that an unprecedented number of States have to date become signatories and parties to the Convention, thereby demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

1. *Takes note with appreciation* of the report of the Secretary-General on the status of the Convention on the Rights of the Child;[54]

2. *Welcomes with deep satisfaction* the entry into force of the Convention on 2 September 1990 as a major step in international efforts to promote universal

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[54] A/45/473.

respect for and observance of human rights and fundamental freedoms;

3. *Expresses its satisfaction* at the number of States that have signed, ratified or acceded to the Convention since it was opened for signature, ratification and accession on 26 January 1990;

4. *Calls upon* all States that have not done so to sign, ratify or accede to the Convention as a matter of priority;

5. *Requests* the Secretary-General to provide all facilities and assistance necessary for the dissemination of information on the Convention and its implementation, with a view to promoting further ratification of or accession to the Convention;

6. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the Convention;

7. *Recognizes* the importance of the establishment of the Committee on the Rights of the Child as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

8. *Also requests* the Secretary-General to ensure the provision of appropriate staff and facilities so that the functions of the Committee on the Rights of the Child may be carried out effectively;

9. *Invites* United Nations agencies and organizations, as well as intergovernmental and non-governmental organizations, to intensify their efforts with a view to disseminating information on the Convention and promoting its understanding;

10. *Further requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the status of the Convention on the Rights of the Child;

11. *Decides* to consider the report of the Secretary-General at its forty-sixth session under the item entitled "Implementation of the Convention on the Rights of the Child".

68th plenary meeting
14 December 1990

45/105. Second Decade to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its objective set forth in the Charter of the United Nations to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and *apartheid,*

Recalling the Universal Declaration of Human Rights,[5] the International Convention on the Elimination of All Forms of Racial Discrimination,[21] the International Convention on the Suppression and Punishment of the Crime of *Apartheid*[27] and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,[55]

Recalling also its resolution 3057 (XXVIII) of 2 November 1973, on the first Decade for Action to Combat Racism and Racial Discrimination, and its resolution 38/14 of 22 November 1983, on the Second Decade to Combat Racism and Racial Discrimination,

Recalling further the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and 1983,

Bearing in mind the *Report of the Second World Conference to Combat Racism and Racial Discrimination,*[56]

Convinced that the Second World Conference represented a positive contribution by the international community towards attaining the objectives of the Decade, through its adoption of a Declaration[57] and an operational Programme of Action[57] for the Second Decade to Combat Racism and Racial Discrimination,

Noting with concern that, despite the efforts of the international community, the principal objectives of the first Decade for Action to Combat Racism and Racial Discrimination were not attained and that millions of human beings continue to this day to be the victims of varied forms of racism, racial discrimination and *apartheid,*

Recalling its resolutions 39/16 of 23 November 1984, 42/47 of 30 November 1987, 43/91 of 8 December 1988 and 44/52 of 8 December 1989,

Emphasizing once again the necessity of attaining the objectives of the Second Decade to Combat Racism and Racial Discrimination,

Having considered the note by the Secretary-General[58] and his report[59] submitted within the framework of the implementation of the Programme of Action for the Second Decade,

Firmly convinced of the need to take more effective and sustained international measures for the elimination of all forms of racism and racial discrimination and the total eradication of *apartheid* in South Africa,

Regretting that certain activities of the Second Decade scheduled for the period 1985-1989 have not been implemented owing to a lack of financial resources,

Recognizing the importance of strengthening, where necessary, national legislation and institutions for the promotion of racial harmony,

Aware of the importance and the magnitude of the phenomenon of migrant workers, as well as the efforts undertaken by the international community to improve the protection of the human rights of migrant workers and their families,

Welcoming the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa,[60] unanimously adopted by the General Assembly at its sixteenth special session, on 14 December 1989, which offers guidelines on how to end *apartheid,*

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[55] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Eleventh Session, Resolutions*, p. 119.

[56] United Nations publication, Sales No. E.83.XIV.4 and corrigendum.

[57] *Ibid.*, chap. II.

[58] A/45/525.

[59] A/45/443.

[60] Resolution S-16/1, annex.

1. *Declares once again* that all forms of racism and racial discrimination, particularly in their institutionalized form, such as *apartheid,* or resulting from official doctrines of racial superiority or exclusivity, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. *Decides* that the international community, in general, and the United Nations, in particular, should continue to give the highest priority to programmes for combating racism, racial discrimination and *apartheid* and intensify their efforts, during the Second Decade to Combat Racism and Racial Discrimination, to provide assistance and relief to the victims of racism and all forms of racial discrimination and *apartheid,* especially in South Africa and in occupied territories and territories under alien domination;

3. *Appeals* to all Governments and to international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and *apartheid* and to provide relief and assistance to the victims of these evils;

4. *Takes note* of the report of the Secretary-General[59] containing information on the activities of Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations, as well as United Nations organs, to give effect to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

5. *Notes and commends* the efforts made to co-ordinate all the programmes currently under implementation by the United Nations system that relate to the objectives of the Second Decade, and encourages the Co-ordinator for the Second Decade to Combat Racism and Racial Discrimination to continue his efforts;

6. *Welcomes* the upcoming publication of the global compilation of national legislation against racism and racial discrimination[61] and requests the Secretary-General to transmit it to Governments as soon as possible;

7. *Requests* the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, in particular those of migrant workers, in the field of education, training and employment, and to submit, *inter alia,* specific recommendations for the implementation of measures to combat the effects of that discrimination;

8. *Recalls* the reports of the Secretary-General on the study on the role of private group action to combat racism and racial discrimination;[62]

9. *Welcomes* the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, and requests the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and to publish and distribute those texts as soon as possible;

10. *Renews its invitation* to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and education activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

11. *Takes note* of the study by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the results achieved and obstacles encountered during the first Decade for Action to Combat Racism and Racial Discrimination and the first half of the Second Decade;[63]

12. *Requests* the Secretary-General to publish the study of the Special Rapporteur and distribute it on as wide a scale as possible;

13. *Considers* that all the parts of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination should receive equal attention in order to attain the objectives of the Second Decade;

14. *Regrets* that part of the programme for the period 1983-1989 has not yet been implemented because of lack of adequate resources, as indicated in the report of the Secretary-General to the Economic and Social Council at its first regular session of 1990;[64]

15. *Requests* the Secretary-General to implement immediately those activities scheduled for the period 1985-1989 not yet carried out and to proceed with the implementation of the activities scheduled for the biennium 1990-1991;

16. *Affirms once again* the need for the implementation of the plan of activities proposed for the period 1990-1993 contained in the annex to General Assembly resolution 42/47;

17. *Requests* the Secretary-General, pursuant to General Assembly resolutions 42/47 and 44/52, to ensure that the necessary and additional resources are included in the programme budget for the biennium 1990-1991 and in the proposed programme budget for the biennium 1992-1993 to provide for the implementation of the activities of the Second Decade;

18. *Also requests* the Secretary-General to inform the General Assembly of the steps taken in regard to the provisions of paragraph 17 above;

19. *Further requests* the Secretary-General to continue to accord the highest priority, in executing the plan of activities, to measures for combating *apartheid;*

20. *Calls upon* Governments to encourage positive change in South Africa based on the guidelines set out in the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa,[60] in particular by maintaining existing measures against South Africa until there is clear evidence of profound and irreversible change;

21. *Requests* the Secretary-General to continue to accord special attention to the situation of migrant workers and their families and to include regularly in his reports all information on such workers;

22. *Invites* all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic

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[61] HR/PUB/1990/8.

[62] A/41/550, A/43/631 and A/44/575.

[63] A/45/525, annex.

[64] See E/1990/50, para. 31.

and Social Council, to participate fully in the activities scheduled for the periods 1985-1989 and 1990-1993 and not yet carried out, by intensifying and broadening their efforts to bring about the speedy elimination of *apartheid* and all forms of racism and racial discrimination;

23. *Considers* that voluntary contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination are indispensable for the implementation of the above-mentioned programmes;

24. *Notes once again with regret* that the present situation of the Trust Fund is not encouraging;

25. *Strongly appeals,* therefore, to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund, and to this end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

26. *Takes note* of the report of the Secretary-General on the activities of the Second Decade[59] and reiterates its request to the Economic and Social Council, throughout the Decade, to submit annually to the General Assembly a report containing, *inter alia:*

(*a*) An enumeration of the activities undertaken or contemplated to achieve the objectives of the Second Decade, including the activities of Governments, United Nations bodies, the specialized agencies and other international and regional organizations, as well as non-governmental organizations;

(*b*) A review and appraisal of those activities;

(*c*) Its suggestions and recommendations;

27. *Decides* to keep the item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination" on its agenda throughout the Second Decade and to consider it as a matter of the highest priority at its forty-sixth session.

68th plenary meeting
14 December 1990

45/106. Implementation of the International Plan of Action on Aging and related activities

The General Assembly,

Recalling its resolutions 44/67 and 44/76 of 8 December 1989 and reaffirming all of their relevant provisions, particularly those which endorsed the priorities set and the recommendations made by the Economic and Social Council in its resolution 1989/50 of 24 May 1989,

Noting that the Economic and Social Council recommended in its resolution 1989/50 the convening of an *ad hoc* working group of the Commission for Social Development at the Commission's thirty-second session to monitor preparatory activities for the tenth anniversary of the adoption of the International Plan of Action on Aging,[16]

Noting with concern that, although in its resolution 43/93 of 8 December 1988 it recommended that aging should be considered a priority theme in the medium-term plan for the period 1992-1997, the resources assigned to subprogramme 7 (Aging) of section 8 (Activities on global social development issues) in the programme budget for the biennium 1990-1991[65] for the Centre for Social Development and Humanitarian Affairs of the Secretariat are not sufficient to implement the programme adequately and to give it the priority recommended,

Also noting with concern that the contributions to the United Nations Trust Fund for Aging have steadily declined since 1982, thereby reducing its resource base, and that unless this trend is reversed and the Fund strengthened, many priority requests will not be met and the implementation of the Plan of Action will be weakened where it is most needed, in developing countries,

Recognizing that the elderly are an asset to society and can contribute significantly to the development process,

Mindful of the need for innovative and effective international co-operation in the field of aging if countries are to achieve self-reliance in responding to the aging of their populations,

Recognizing also the complexity and rapidity of the aging of the world's population and the need to have a common basis and frame of reference for the protection and promotion of the rights of the elderly, including the contribution that the elderly can and should make to society,

Recalling the establishment at Dakar in 1989 of the African Society of Gerontology,

Having considered the report of the Secretary-General on the question of aging,[66]

1. *Takes note* of the report of the Secretary-General on the question of aging;

2. *Endorses* the action programme on aging for 1992 and beyond as outlined in the report of the Secretary-General;

3. *Urges* Member States, the organs, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations concerned to participate in the action programme on aging for 1992 and beyond, especially in selecting targets in the field of aging, in organizing community-wide activities and in launching an information and fund-raising campaign to celebrate the tenth anniversary of the adoption of the International Plan of Action on Aging at the local, national, regional and global levels;

4. *Endorses* the recommendation of the Economic and Social Council in its resolution 1989/50 that an *ad hoc* working group of the Commission for Social Development be convened at the Commission's thirty-second session, in 1991, to monitor the activities for the tenth anniversary, especially the launching of a global information campaign, and the selection of targets that might form the basis of the third review and appraisal of the Plan of Action to be made by the Commission at its thirty-third session, in 1993;

5. *Invites* Member States, the United Nations and non-governmental organizations to consider innovative and effective ways of co-operating on the selection of targets in the field of aging during 1991 and 1992;

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[65] See *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 6* (A/44/6/Rev.1), vol. I.

[66] A/45/420.

6. *Recommends* that the Commission for Social Development give consideration to the desirability of convening, subject to the availability of funds, regional and sectoral meetings on the selection of targets in the field of aging during 1991 and 1992 and global consultations in 1993 and 1997, to coincide with the third and fourth quadrennial reviews and appraisals of the implementation of the Plan of Action;

7. *Notes with appreciation* the work of the recent *ad hoc* inter-agency meetings on aging and recommends that inter-agency meetings on aging be convened biennially;

8. *Welcomes with appreciation* the rapid progress made by the International Institute on Aging, in Malta, in establishing, in close collaboration and co-operation with the United Nations system, as well as with governmental and non-governmental institutions and organizations, programmes that promote in a practical manner the implementation of the Plan of Action, particularly through curriculum development, training courses, a global survey on training and the establishment of an information network, and requests the Secretary-General, in reporting on the question of aging to the General Assembly at its forty-sixth session, to inform the Assembly of the activities of the Institute;

9. *Takes note with satisfaction* of the plans for the establishment of training institutes on aging in Argentina and Yugoslavia and in Central America and the Caribbean;

10. *Requests* the Centre for Social Development and Humanitarian Affairs of the Secretariat to provide, within existing resources, technical assistance to the African Society of Gerontology;

11. *Welcomes* global fund-raising initiatives for activities in the field of aging, particularly the proposed establishment in 1991 of an independent foundation on aging under the patronage of the United Nations, to be called the Banyan Foundation, the main goal of which will be to empower the elderly in all world regions to maintain maximum independence and the ability to contribute to society in the context of the Plan of Action, thus serving as a much-needed international fund-raising vehicle for programmes for the aging worldwide;

12. *Requests* the Commission on the Status of Women to consider under the priority theme "development" the positive contributions and specific roles of elderly women in the development of their societies;

13. *Notes with appreciation* the support given by the United Nations Population Fund to the Aging Unit of the Centre for Social Development and Humanitarian Affairs, and urges the Fund to maintain this commitment;

14. *Notes with satisfaction* the close collaboration of the Centre for Social Development and Humanitarian Affairs, as the United Nations focal point on aging, with intergovernmental and non-governmental organizations active in the field of aging, and encourages the Centre to continue to strengthen this collaboration;

15. *Designates* 1 October as International Day for the Elderly;

16. *Urges* Governments and non-governmental organizations to contribute to the Trust Fund for Aging;

17. *Also urges* Governments and non-governmental organizations to contribute human and financial resources through the Centre for Social Development and Humanitarian Affairs for the co-ordination and implementation of the action programme on aging for 1992 and beyond;

18. *Urges* the Secretary-General to consider increasing the human and financial resources of the Aging Unit of the Centre for Social Development and Humanitarian Affairs in order to enable it to fulfil its mandate as the United Nations focal point on aging;

19. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

20. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Question of aging".

68th plenary meeting
14 December 1990

45/107. International co-operation for crime prevention and criminal justice in the context of development

The General Assembly,

Reaffirming the purposes and principles of the United Nations and the commitment of all States to respect the obligations assumed by them, in accordance with the Charter of the United Nations,

Convinced that crime prevention and criminal justice in the context of development should be oriented towards the observance of the principles contained in the Caracas Declaration,[67] the Milan Plan of Action,[68] the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order[69] and other relevant resolutions and recommendations of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling its resolution 43/99 of 8 December 1988, in which it stressed the need for Member States to continue to make concerted and systematic efforts to strengthen international co-operation in crime prevention and criminal justice, as identified in the Milan Plan of Action, and to facilitate the adoption by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders of viable and constructive action-oriented strategies against crime,

Recalling also its resolution 44/72 of 8 December 1989,

Recalling further Economic and Social Council resolution 1989/68 of 24 May 1989, in which the Council reaffirmed its conviction of the importance of the programme of the United Nations in the field of crime prevention and criminal justice and the necessity of strengthening it in order to make it fully responsive to the needs and expectations of Member States,

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[67] Resolution 35/171, annex.

[68] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. A.

[69] *Ibid.*, sect. B.

Adopts the recommendations on international co-operation for crime prevention and criminal justice in the context of development, as contained in the annex to the present resolution.

68th plenary meeting
14 December 1990

ANNEX

Recommendations on international co-operation for crime prevention and criminal justice in the context of development

A. CRIME PREVENTION AND CRIMINAL JUSTICE IN THE CONTEXT OF DEVELOPMENT

1. Governments should reaffirm their commitment to respect the existing international treaties and their adherence to principles expressed in the Charter of the United Nations and in other relevant international instruments. Crime can also be prevented by ensuring that those principles are not sacrificed.

2. Member States should intensify the struggle against international crime by respecting and promoting the rule of law and legality in international relations and, for that purpose, they should complete and further develop international criminal law, fully implement the obligations following from international treaties and instruments in this field *(pacta sunt servanda)*, and examine their national legislation in order to ensure that it meets the needs of international criminal law.

3. Governments should accord priority attention to the promulgation and implementation of appropriate laws and regulations to control and combat transnational crime and illegal international transactions, especially by the provision of proper collaborative schemes and trained personnel. Also, national laws should be reviewed in order to ensure a more effective and adequate response to the new forms of criminal activity, not only through the application of criminal penalties, but also through civil or administrative measures.

4. The national, regional and international aspects of growing pollution and the exploitation and destruction of the environment should be recognized and controlled as a matter of urgency, in view of the increasing and alarming devastation, deriving from various sources. Besides measures of administrative law and liability under civil law, the role of criminal law as an instrument that can help to achieve such control should be kept under review. The desirability of elaborating guiding principles for the prevention of crimes against the environment should be considered.

5. In view of the fact that advanced technology and specialized technical knowledge are employed in criminal activities pursued in international trade and commerce, including computer fraud, by the misuse of banking facilities and the manipulation of tax laws and customs regulations, law enforcement and criminal justice officials should be properly trained and provided with adequate legal and technical means to be able to detect and investigate such offences. The co-ordination and co-operation of other relevant agencies at the national level should be ensured and their capacities further improved. The development and strengthening of direct arrangements of international co-operation between the various agencies of national criminal justice systems should also be pursued.

6. Since even legitimate enterprises, organizations and associations may sometimes be involved in transnational criminal activities affecting national economies, Governments should adopt measures for the control of such activities. They should also collect information from various sources so as to have a solid base for the detection and punishment of enterprises, organizations and associations, their officials, or both, if they are involved in such criminal activities, with a view also to preventing similar conduct in the future.

7. Note should be taken of the fact that many countries lack adequate laws to deal with the emerging manifestations of transnational crime and that the adoption and implementation of appropriate instruments and measures to prevent this type of criminality are urgently needed. In this regard, the exchange of information on existing laws and regulations should be encouraged in order to facilitate the dissemination and adoption of appropriate measures.

8. Because the corrupt activities of public officials can destroy the potential effectiveness of all types of governmental programmes, hinder development, and victimize individuals and groups, it is of crucial importance that all nations should (*a*) review the adequacy of their criminal laws, including procedural legislation, in order to respond to all forms of corruption and related actions designed to assist or to facilitate corrupt activities, and should have recourse to sanctions that will ensure adequate deterrence; (*b*) devise administrative and regulatory mechanisms for the prevention of corrupt practices or the abuse of power; (*c*) adopt procedures for the detection, investigation and conviction of corrupt officials; (*d*) create legal provisions for the forfeiture of funds and property from corrupt practices; and (*e*) take appropriate measures against enterprises involved in corruption. The Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat should co-ordinate the elaboration of materials to assist countries in these efforts, including the development of a manual to combat corruption, and should provide specialized training to judges and prosecutors that would qualify them to deal with the technical aspects of corruption, as well as with the experiences derived from specialized courts handling such matters.

9. Noting the alarming threat posed by illicit trafficking in narcotic drugs and psychotropic substances, which is among the worst crimes that humanity is facing, and the action taken by United Nations drug control units and bodies in this field, and concerned that, despite all the efforts made at the national, regional and international levels, this phenomenon persists unabated, it is important that efforts to combat this type of criminality be given a central place in all crime prevention and criminal justice plans and programmes. The work of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs in this area should be strengthened. Special assistance should be extended to developing countries for the implementation of drug abuse control programmes and the elaboration of collaborative prevention and control strategies.

10. The process of developing comprehensive model codes, especially at the regional and subregional levels, to combat crimes of transnational and international dimensions, should be encouraged. Also, efforts should be made to harmonize national criminal laws, so as to make them fully responsive to the realities and ramifications of such crimes. Practical arrangements, such as extradition, mutual assistance in criminal justice and the sharing and exchange of expertise and information, should be pursued. Adequate attention should be given to effective enforcement mechanisms in order to minimize the consequences of transborder crimes, including their effect on countries not directly involved.

11. Appropriate educational policies should be developed for making the populations of Member States more sensitive to the problem through formal educational systems and general public information programmes, with a view to promoting awareness of the ways and means by which criminal victimization can be avoided, as well as acquainting the public at large with the objectives and processes of the criminal justice system.

12. In recognition of the need for specific preventive measures related to such types of criminality as burglary, violent theft and street crime, an inventory of preventive measures should be prepared by the United Nations on the basis of an in-depth assessment and evaluation of their effectiveness in various cultural, social, economic and political contexts.

13. With respect to the victims of crime and abuse of power, a guide containing an inventory of comprehensive measures for education on the prevention of victimization, and on the protection of, and assistance and compensation to, victims should be prepared. This guide should be applied in accordance with the legal, socio-cultural and economic circumstances of each nation, taking into account the important role of non-governmental organizations in this sphere.

14. In view of its crucial function in crime prevention, the criminal justice system should be developed on the basis of the progressive rationalization and humanization of criminal laws and procedures, sentencing policies and dispositional alternatives, within the overall framework of social justice and societal aspirations.

15. A systematic approach to crime prevention planning should be pursued to provide for the incorporation of crime prevention policies into national development planning, starting from an overall reassessment of substantive criminal and procedural laws whenever appropriate. This approach would include the introduction of the processes of decriminalization, depenalization and diversion, as well as reforms of procedures that would ensure the support of members of the public and review of existing policies with a view to assessing their impact. It would also include appropriate links to be established between the

criminal justice system and other development sectors, including education, employment, health, social policy and other related fields.

16. The trial process should be consonant with the cultural realities and social values of society, in order to make it understood and to permit it to operate effectively within the community it serves. Observance of human rights, equality, fairness and consistency should be ensured at all stages of the process.

B. INTERNATIONAL, SCIENTIFIC AND TECHNICAL CO-OPERATION

17. In order to increase the effectiveness of international co-operation in crime prevention and criminal justice, concerted efforts should be made towards (*a*) the ratification and implementation of existing international instruments; (*b*) the development of bilateral and multilateral instruments; and (*c*) the preparation and elaboration of model instruments and standards for use at the national, bilateral, multilateral, subregional, regional and interregional levels.

18. The formulation of international instruments, standards and norms should include the following specific areas of concern: (*a*) judicial assistance treaties, in particular between common law and civil law countries, dealing with the means for obtaining evidence conforming to the requirements of the requesting State; (*b*) development of standardized requests for extradition and mutual assistance; (*c*) development of the means of providing assistance to victims of crime and abuse of power, with emphasis on the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,[70] and of providing adequate protection for witnesses; (*d*) further consideration of issues of transnational jurisdiction in order to assist in the process of responding to requests for extradition and mutual assistance and in the implementation of international instruments; and (*e*) elaboration of standards for international assistance in respect of bank secrecy, facilitating the seizure and confiscation of proceeds in bank accounts derived from criminal acts. In particular, banks and other financial institutions should be urged to standardize their reporting requirements and documents so that these can be used more rapidly and effectively as evidence. More effective international standards to inhibit the laundering of money and investment connected with criminal activities, such as narcotics trafficking and terrorism, should also be developed.

19. Member States, intergovernmental and non-governmental organizations and international, national and private funding agencies should assist the United Nations in the establishment and operation of a global crime prevention and criminal justice information network. Member States are urged to contribute to this endeavour by financing equipment and expertise. Consideration should also be given to determining the categories of criminal justice data that can be provided and exchanged on a regular basis.

20. In accordance with the numerous decisions and resolutions of relevant organs of the United Nations, including the quinquennial United Nations congresses on the prevention of crime and the treatment of offenders, measures should be taken to strengthen programmes of international technical and scientific co-operation in the field of crime prevention and criminal justice on a bilateral and multilateral basis, as substantive components of broader development programmes, taking into account the special needs of developing countries and, in particular, the worsening socio-economic situation in many of them, which contributes to the increase of structural inequality and criminality.

21. In order to formulate and develop proper regional and interregional strategies of international, technical and scientific co-operation in combating crime and improving the effectiveness of preventive and criminal justice activities, the programmes of technical and scientific co-operation should be directed especially towards (*a*) reinforcement of the technical capacities of the criminal justice agencies; (*b*) an upgrading of the human and technical resources in all sectors of the criminal justice system in order to stimulate technical assistance, model and demonstration projects, research activities and training programmes, in close co-operation with the United Nations institutes for the prevention of crime and the treatment of offenders and competent non-governmental organizations; (*c*) the further development and improvement, at the national, regional, interregional and international levels, of information bases for the collection, analysis and dissemination of data on crime trends, innovative ways and methods of crime prevention and control, and the operation of criminal justice agencies, in order to provide an appropriate basis for policy-formulation and programme implementation; (*d*) the promotion, through educational programmes and training activities, of the implementation of United Nations norms, guidelines and standards in crime prevention and criminal justice; and (*e*) the elaboration and implementation of joint strategies and collaborative arrangements to deal with crime problems of mutual concern.

22. The Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, as the focal point of United Nations activities in this field, the United Nations institutes for the prevention of crime and the treatment of offenders, the co-operating entities like the Arab Security Studies and Training Centre, the interregional advisory services in crime prevention and criminal justice, and other relevant United Nations bodies, as well as intergovernmental and non-governmental organizations enjoying consultative status with the Economic and Social Council, should be strengthened so as to increase the scope of their operations, improve their co-ordination and diversify forms and methods of technical and scientific co-operation.

23. The role of the Committee on Crime Prevention and Control as the principal body dealing with crime prevention and criminal justice matters, which is entrusted, *inter alia*, with the preparations for the United Nations congresses on the prevention of crime and the treatment of offenders, should be further enhanced so as to enable it to fulfil its important functions.

24. The capacity of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, as the only professional and specialized entity within the United Nations system with overall responsibility for its crime prevention and criminal justice programme, should be strengthened in terms of both human and financial resources. Prompt implementation of the General Assembly and Economic and Social Council resolutions related thereto is urgently needed. In particular, priority attention should be given to the implementation of paragraphs 4 and 5 of General Assembly resolution 42/59 of 30 November 1987, in which the Assembly approved the recommendations contained in Economic and Social Council resolutions 1986/11 and 1987/53, concerning the review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice,[71] and requested the Secretary-General, *inter alia*, to take measures to ensure that the programme of work is supported by adequate resources; and paragraph 3 (*a*) of Economic and Social Council resolution 1987/53, in which the Council requested the Secretary-General to develop the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs as a specialized body and facilitating agent in the field of crime prevention and criminal justice. Attention should also be given to other relevant resolutions of the General Assembly and the Economic and Social Council, as well as to the recommendations of the regional preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and of the Committee on Crime Prevention and Control.

25. The United Nations institutes for the prevention of crime and the treatment of offenders should further develop their research, training and technical assistance capacities, and widen their collaborative networks through more extensive reliance on non-governmental organizations and national research and educational institutions, in order to meet the growing requests from developing countries for technical and scientific assistance. The Governments concerned, relevant regional bodies and organizations and United Nations entities should actively assist the United Nations institutes for the prevention of crime and the treatment of offenders, and, in particular, should assist the African Institute for the Prevention of Crime and the Treatment of Offenders, in consolidating its status and further promoting its activities.

26. Governments should be invited to fund regional advisory services in their regions, directly or through the United Nations Development Programme, so as to develop further and complement existing structures and possibilities in this field. The regional commissions should be encouraged to do likewise and should be supported in their efforts to that end.

27. Special attention should be paid to strengthening the collaborative ties in the field of crime prevention and criminal justice between the Centre for Social Development and Humanitarian Affairs and the

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[70] Resolution 40/34, annex.

[71] See E/1987/43.

Department of Technical Co-operation for Development of the Secretariat, the United Nations Development Programme, the World Bank and other relevant entities, with a view to ensuring adequate resources for technical co-operation activities in crime prevention and criminal justice. Interested Governments should give priority to the inclusion of crime prevention and criminal justice projects in the national and regional programmes proposed for the support of the United Nations Development Programme.

28. In order to fully implement the mandates emerging from the crime prevention and criminal justice programme and to provide additional technical and scientific expertise and resources for matters of international co-operation in this field, broader involvement of, and assistance by, non-governmental organizations are required.

29. Governments and other funding agencies should contribute to the United Nations Trust Fund for Social Defence in order to enable the United Nations to implement, in an adequate and effective manner, programmes of technical and scientific co-operation in this field.

45/108. Review of the functioning and programme of work of the United Nations in crime prevention and criminal justice

The General Assembly,

Aware of the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Recalling its resolutions 40/32 of 29 November 1985, 41/107 of 4 December 1986, 42/59 of 30 November 1987, 43/99 of 8 December 1988 and 44/72 of 8 December 1989 and Economic and Social Council resolutions 1986/11 of 21 May 1986, 1987/53 of 28 May 1987, 1988/44 of 27 May 1988 and 1989/68 of 24 May 1989, and taking note of Council resolution 1990/27 of 24 May 1990,

Recognizing the increasingly transnational character and dimensions of crime and also recognizing that the new, organized and sophisticated forms of crime call for concerted international action,

Alarmed by the high human and material costs of crime and aware that its consequences involve a substantial drain on the economies of Member States, and loss and damage to the victims of crime,

Convinced of the urgent need for more effective and responsive international mechanisms to assist countries and facilitate joint strategies in areas of mutual concern,

Noting that the Committee on Crime Prevention and Control, in its resolution 10/1 of 31 August 1988,[72] requested its Chairman to appoint a sub-committee to provide an overview of the magnitude of the problem of crime in its economic, criminological, social and juridical aspects, to assess the most efficient means of stimulating practical international action in support of Member States and, in particular, the role of the United Nations in that regard, and to make recommendations to the Committee, at its eleventh session, concerning the most effective mechanisms for the implementation of the conclusions of the overview, and noting that a report on these matters was prepared by the sub-committee appointed by the Chairman, which was considered, reviewed, revised and approved by the Committee by its resolution 11/3 of 16 February 1990,[73] at its eleventh session,

Noting also that the General Assembly, in its resolution 44/72, invited the Committee on Crime Prevention and Control, at its eleventh session, to give priority attention to the conclusions and recommendations of its sub-committee and to consider appropriate follow-up thereto by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Taking note with appreciation of the report of the Committee on Crime Prevention and Control entitled "The need for the creation of an effective international crime and justice programme"[74] and noting the endorsement of the report by the Eighth Congress, as well as the deliberations of the Congress thereon,[75]

1. *Decides* to establish an intergovernmental working group, which, on the basis of the report of the Committee on Crime Prevention and Control entitled "The need for the creation of an effective international crime and justice programme", would produce a report elaborating proposals for an effective crime prevention and criminal justice programme and suggesting how that programme could most appropriately be implemented, and, accordingly, requests the President of the General Assembly, in consultation with the chairmen of the regional groups, to appoint no more than thirty Member States on the basis of the principle of equitable geographical distribution to constitute the membership of the working group;

2. *Invites* Member States, in consultation with the Secretary-General and the Chairman of the Committee on Crime Prevention and Control, to convene an early ministerial meeting:

(*a*) To consider the report of the intergovernmental working group in order to decide what the future crime prevention and criminal justice programme should be;

(*b*) To consider, in this context, the possible need for a convention or other international instrument to develop the content, structure and dynamics of that programme, including mechanisms for setting priorities, securing the implementation of the programme and monitoring the results achieved;

3. *Requests* the Secretary-General, in preparation for the ministerial meeting, to assess the possible implications of the programme proposed by the intergovernmental working group for the resources and organization of the Secretariat and to report thereon to the ministerial meeting and to the Committee on Crime Prevention and Control;

4. *Also requests* the Secretary-General to take all practical measures to ensure rapid implementation of General Assembly resolutions 42/59 and 44/72 and Economic and Social Council resolutions 1986/11, 1987/53, 1989/68 and 1990/27, in so far as they relate to the strengthening and upgrading of the status of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat, taking into account the demands on the Branch that will be created by the preparations for the meeting of the intergovernmental working group and the ministerial meeting and by the current and expected

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[72] See *Official Records of the Economic and Social Council, 1988, Supplement No. 10* (E/1988/20), chap. I, sect. C.

[73] *Ibid., 1990, Supplement No. 10* (E/1990/31), chap. I, sect. D.

[74] E/1990/31/Add.1.

[75] See A/CONF.144/28, chap. IV.

programme, including the conclusions and recommendations of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

5. *Invites* Member States to provide active support and assistance for the development of an effective international crime prevention and criminal justice programme and of viable mechanisms for implementing it;

6. *Decides* that the conclusions and recommendations of the ministerial meeting should be brought to the attention of the General Assembly, under the item entitled "Crime prevention and criminal justice", for appropriate action.

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Pursuant to paragraph 1 of the above resolution, the President of the General Assembly subsequently informed the Secretary-General[76] *that, in consultation with the chairmen of the regional groups, he had appointed twenty-nine Member States to constitute the Intergovernmental Working Group on a Crime Prevention and Criminal Justice Programme.*

Accordingly, the Working Group is composed of the following Member States: Argentina, Australia, Burkina Faso, China, Colombia, Costa Rica, Cuba, Egypt, France, Germany, Ghana, India, Indonesia, Japan, Libyan Arab Jamahiriya, Malaysia, Malawi, Nicaragua, Nigeria, Philippines, Poland, Sudan, Sweden, Trinidad and Tobago, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America *and* Yugoslavia.

45/109. Computerization of criminal justice

The General Assembly,

Recalling its resolution 44/72 of 8 December 1989, in which the question of computerization of criminal justice was addressed,

Recalling also resolution 9 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders[77] on the development of crime and criminal justice information and statistical systems,

Recalling further Economic and Social Council resolution 1986/12 of 21 May 1986,

Bearing in mind the recommendations on the computerization of criminal justice administration contained in the report of the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic II, "Criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures",[78] which emanated from the European Seminar on Computerization of Criminal Justice Information Systems: Realities, Methods, Prospects and Effects, held at Popowo, Poland, from 18 to 22 May 1987,

Aware that crime poses a serious problem for the personal security of individuals and for their enjoyment of human rights, thereby adversely affecting the quality of life and harming the development process,

Aware also that inefficiencies, inequalities or failures in the administration of criminal justice may themselves infringe on the rights and personal security of individuals,

Recognizing that the computerization of criminal justice administration is an important mechanism for the promotion of the efficient and humane management of criminal justice as long as the protection of privacy, the respect for human rights and fundamental freedoms are taken into account,

Taking note with appreciation of the principles on the storage, use and protection of data enunciated in the final report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on guidelines for the regulation of computerized personal data files,[40]

Recognizing that computerization of criminal justice is an important mechanism for the production of statistical information that would benefit national Governments and the international community by providing data on crime trends and the operation of criminal justice systems,

Recognizing also that the growth of crime nationally and internationally calls for enhanced international co-operation,

Noting that the European Seminar and the first United Nations workshop on the computerization of criminal justice information organized within the framework of the Eighth Congress offered a suitable opportunity to share experiences and establish viable policy options on this issue,

Conscious that the promotion of the computerization of criminal justice administration among Member States requires the enhancement of technical co-operation activities,

Emphasizing the common problems faced by all Member States in the administration and computerization of criminal justice, and the fact that both developing and developed countries may, through an enhanced capacity for an exchange of information on an international level, benefit from such international co-operation in the process of computerization,

Mindful that technical co-operation requires extensive expertise and resources and new logistical arrangements for the speedy delivery of services relating to the computerization of criminal justice administration,

Noting with appreciation the draft directory of automated criminal justice information systems submitted by the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations, to the first United Nations workshop on the computerization of criminal justice information,

1. *Calls upon* the Secretary-General, to the extent that the activities referred to in the present resolution cannot be undertaken within existing resources and with available expertise, to prepare proposals for sub-

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[76] A/45/973 and Add.1.

[77] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. E.

[78] See A/CONF.144/IPM.4.

mission to potential donors in the governmental, intergovernmental and private sectors, in possible consortium, for the provision of such funding and expertise; such proposals should include pilot projects to demonstrate the value and viability of such activities, and should serve as a basis for ensuring long-term resource support from diverse sources;

2. *Requests* the Secretary-General, in co-operation with the network of United Nations institutes for the prevention of crime and the treatment of offenders, to strengthen the Global Crime and Criminal Justice Information Network by:

(*a*) Developing and distributing appropriate publications, reports and newsletters;

(*b*) Developing a directory of innovative programmes for the computerization of the administration of criminal justice;

(*c*) Organizing regional and interregional meetings, seminars and workshops on a continuing basis;

(*d*) Maintaining an up-to-date roster of individuals and organizations to form the basis of an international technical co-operation infrastructure;

(*e*) Enhancing communication between Member States by utilizing an electronic information network;

(*f*) Facilitating the exchange of criminal justice computer applications;

3. *Also requests* the Secretary-General, in co-operation with the network of United Nations institutes for the prevention of crime and the treatment of offenders, to establish a technical co-operation programme for the systematization and computerization of criminal justice in order to offer training, assess needs, formulate and execute specific projects, and to report on the results achieved to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

4. *Further requests* the Secretary-General to establish an international group of experts which would be supported by the Department of Technical Co-operation for Development of the Secretariat, would report regularly to the Secretary-General and would have interregional representation and responsibility for:

(*a*) Reviewing and assessing national experiences in the computerization of criminal justice;

(*b*) Overseeing the establishment of the technical co-operation programme;

(*c*) Monitoring the activities of the technical co-operation programme;

(*d*) Informing Member States of the potential availability of funds and services from various donors in the governmental, intergovernmental and private sectors;

(*e*) Informing such donors of the needs of Member States for assistance;

(*f*) Consulting with relevant experts in the private sector in the field of criminal justice;

5. *Requests* that adequate information on the experience of Member States with systematization and computerization should be included in the Global Crime and Criminal Justice Information Network and that the necessary facilities for the exchange of general substantive information between Member States should be provided in the Network;

6. *Requests* the Secretary-General and Member States to pay special attention to the developing countries in providing technical assistance and co-operation for the formulation of information programmes and statistics regarding crime and criminal justice;

7. *Urges* Member States, intergovernmental and non-governmental organizations, specialized agencies and other bodies, including, in particular, the United Nations Development Programme and the World Bank, and interested entities in the private sector with technical co-operation programmes, to consider giving high priority to criminal justice systematization and computerization projects in such programmes;

8. *Also urges* Member States to assist the Secretary-General in the funding of the Global Crime and Criminal Justice Information Network, the technical co-operation programme and the work of the international group of experts;

9. *Requests* the Committee on Crime Prevention and Control, in preparing the provisional agenda for the Ninth Congress, to consider including the question of the computerization of the administration of criminal justice as one of the items, and to consider also the organization of the second United Nations workshop on the computerization of criminal justice information within the framework of the Ninth Congress in order to allow for the sharing of experiences in technical co-operation among Member States and other interested parties on the improvement of the administration of criminal justice.

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45/110. United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)

The General Assembly,

Bearing in mind the Universal Declaration of Human Rights[5] and the International Covenant on Civil and Political Rights,[33] as well as other international human rights instruments pertaining to the rights of persons in conflict with the law,

Bearing in mind also the Standard Minimum Rules for the Treatment of Prisoners,[79] adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and the important contribution of those Rules to national policies and practices,

Recalling resolution 8 of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders[80] on alternatives to imprisonment,

Recalling also resolution 16 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders[77] on the reduction of the prison population, alternatives to imprisonment, and social integration of offenders,

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[79] See *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.88.XIV.1), sect. G.

[80] See *Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Caracas, 25 August-5 September 1980: report prepared by the Secretariat* (United Nations publication, Sales No. E.81.IV.4), chap. I, sect. B.

Recalling further section XI of Economic and Social Council resolution 1986/10 of 21 May 1986, on alternatives to imprisonment, in which the Secretary-General was requested to prepare a report on alternatives to imprisonment for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to study that question with a view to the formulation of basic principles in that area, with the assistance of the United Nations institutes for the prevention of crime and the treatment of offenders,

Recognizing the need to develop local, national, regional and international approaches and strategies in the field of non-institutional treatment of offenders and the need to formulate standard minimum rules, as emphasized in the section of the report of the Committee on Crime Prevention and Control on its fourth session, concerning the methods and measures likely to be most effective in preventing crime and improving the treatment of offenders,[81]

Convinced that alternatives to imprisonment can be an effective means of treating offenders within the community to the best advantage of both the offenders and society,

Aware that the restriction of liberty is justifiable only from the viewpoints of public safety, crime prevention, just retribution and deterrence and that the ultimate goal of the criminal justice system is the reintegration of the offender into society,

Emphasizing that the increasing prison population and prison overcrowding in many countries constitute factors that create difficulties for the proper implementation of the Standard Minimum Rules for the Treatment of Prisoners,

Noting with appreciation the work accomplished by the Committee on Crime Prevention and Control, as well as by the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic II, "Criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures", and by the regional preparatory meetings for the Eighth Congress,

Expressing its gratitude to the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders for the work accomplished in the development of standard minimum rules for non-custodial measures, as well as to the various intergovernmental and non-governmental organizations involved, in particular, the International Penal and Penitentiary Foundation for its contribution to the preparatory work,

1. *Adopts* the United Nations Standard Minimum Rules for Non-custodial Measures, contained in the annex to the present resolution, and approves the recommendation of the Committee on Crime Prevention and Control that the Rules should be known as "the Tokyo Rules";

2. *Recommends* the Tokyo Rules for implementation at the national, regional and interregional levels, taking into account the political, economic, social and cultural circumstances and traditions of countries;

3. *Calls upon* Member States to apply the Tokyo Rules in their policies and practice;

4. *Invites* Member States to bring the Tokyo Rules to the attention of, in particular, law enforcement officials, prosecutors, judges, probation officers, lawyers, victims, offenders, social services and non-governmental organizations involved in the application of non-custodial measures, as well as members of the executive, the legislature and the general public;

5. *Requests* Member States to report on the implementation of the Tokyo Rules every five years, beginning in 1994;

6. *Urges* the regional commissions, the United Nations institutes for the prevention of crime and the treatment of offenders, specialized agencies and other entities within the United Nations system, other intergovernmental organizations concerned and non-governmental organizations in consultative status with the Economic and Social Council to be actively involved in the implementation of the Tokyo Rules;

7. *Calls upon* the Committee on Crime Prevention and Control to consider, as a matter of priority, the implementation of the present resolution;

8. *Requests* the Secretary-General to take the necessary steps to prepare a commentary to the Tokyo Rules, which is to be submitted to the Committee on Crime Prevention and Control at its twelfth session for approval and further dissemination, paying special attention to the legal safeguards, the implementation of the Rules and the development of similar guidelines at the regional level;

9. *Invites* the United Nations institutes for the prevention of crime and the treatment of offenders to assist the Secretary-General in that task;

10. *Urges* intergovernmental and non-governmental organizations and other entities concerned to remain actively involved in this initiative;

11. *Requests* the Secretary-General to take steps, as appropriate, to ensure the widest possible dissemination of the Tokyo Rules, including their transmission to Governments, interested intergovernmental and non-governmental organizations and other parties concerned;

12. *Also requests* the Secretary-General to prepare every five years, beginning in 1994, a report on the implementation of the Tokyo Rules for submission to the Committee on Crime Prevention and Control;

13. *Further requests* the Secretary-General to assist Member States, at their request, in the implementation of the Tokyo Rules and to report regularly thereon to the Committee on Crime Prevention and Control;

14. *Requests* that the present resolution and the text of the annex be brought to the attention of all United Nations bodies concerned and be included in the next edition of the United Nations publication entitled *Human Rights: A Compilation of International Instruments.*

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[81] E/CN.5/536, annex IV.

ANNEX

United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)

I. GENERAL PRINCIPLES

1. *Fundamental aims*

1.1 The present Standard Minimum Rules provide a set of basic principles to promote the use of non-custodial measures, as well as minimum safeguards for persons subject to alternatives to imprisonment.

1.2 The Rules are intended to promote greater community involvement in the management of criminal justice, specifically in the treatment of offenders, as well as to promote among offenders a sense of responsibility towards society.

1.3 The Rules shall be implemented taking into account the political, economic, social and cultural conditions of each country and the aims and objectives of its criminal justice system.

1.4 When implementing the Rules, Member States shall endeavour to ensure a proper balance between the rights of individual offenders, the rights of victims, and the concern of society for public safety and crime prevention.

1.5 Member States shall develop non-custodial measures within their legal systems to provide other options, thus reducing the use of imprisonment, and to rationalize criminal justice policies, taking into account the observance of human rights, the requirements of social justice and the rehabilitation needs of the offender.

2. *The scope of non-custodial measures*

2.1 The relevant provisions of the present Rules shall be applied to all persons subject to prosecution, trial or the execution of a sentence, at all stages of the administration of criminal justice. For the purposes of the Rules, these persons are referred to as "offenders", irrespective of whether they are suspected, accused or sentenced.

2.2 The Rules shall be applied without any discrimination on the grounds of race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth or other status.

2.3 In order to provide greater flexibility consistent with the nature and gravity of the offence, with the personality and background of the offender and with the protection of society and to avoid unnecessary use of imprisonment, the criminal justice system should provide a wide range of non-custodial measures, from pre-trial to post-sentencing dispositions. The number and types of non-custodial measures available should be determined in such a way that consistent sentencing remains possible.

2.4 The development of new non-custodial measures should be encouraged and closely monitored and their use systematically evaluated.

2.5 Consideration shall be given to dealing with offenders in the community, avoiding as far as possible resort to formal proceedings or trial by a court, in accordance with legal safeguards and the rule of law.

2.6 Non-custodial measures should be used in accordance with the principle of minimum intervention.

2.7 The use of non-custodial measures should be part of the movement towards depenalization and decriminalization instead of interfering with or delaying efforts in that direction.

3. *Legal safeguards*

3.1 The introduction, definition and application of non-custodial measures shall be prescribed by law.

3.2 The selection of a non-custodial measure shall be based on an assessment of established criteria in respect of both the nature and gravity of the offence and the personality, the background of the offender, the purposes of sentencing and the rights of victims.

3.3 Discretion by the judicial or other competent independent authority shall be exercised at all stages of the proceedings by ensuring full accountability and only in accordance with the rule of law.

3.4 Non-custodial measures imposing an obligation on the offender, applied before or instead of formal proceedings or trial, shall require the offender's consent.

3.5 Decisions on the imposition of non-custodial measures shall be subject to review by a judicial or other competent independent authority, upon application by the offender.

3.6 The offender shall be entitled to make a request or complaint to a judicial or other competent independent authority on matters affecting his or her individual rights in the implementation of non-custodial measures.

3.7 Appropriate machinery shall be provided for the recourse and, if possible, redress of any grievance related to non-compliance with internationally recognized human rights.

3.8 Non-custodial measures shall not involve medical or psychological experimentation on, or undue risk of physical or mental injury to, the offender.

3.9 The dignity of the offender subject to non-custodial measures shall be protected at all times.

3.10 In the implementation of non-custodial measures, the offender's rights shall not be restricted further than was authorized by the competent authority that rendered the original decision.

3.11 In the application of non-custodial measures, the offender's right to privacy shall be respected, as shall be the right to privacy of the offender's family.

3.12 The offender's personal records shall be kept strictly confidential and closed to third parties. Access to such records shall be limited to persons directly concerned with the disposition of the offender's case or to other duly authorized persons.

4. *Saving clause*

4.1 Nothing in the present Rules shall be interpreted as precluding the application of the Standard Minimum Rules for the Treatment of Prisoners,[79] the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),[82] the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment[35] or any other human rights instruments and standards recognized by the international community and relating to the treatment of offenders and the protection of their basic human rights.

II. PRE-TRIAL STAGE

5. *Pre-trial dispositions*

5.1 Where appropriate and compatible with the legal system, the police, the prosecution service or other agencies dealing with criminal cases should be empowered to discharge the offender if they consider that it is not necessary to proceed with the case for the protection of society, crime prevention or the promotion of respect for the law and the rights of victims. For the purpose of deciding upon the appropriateness of discharge or determination of proceedings, a set of established criteria shall be developed within each legal system. For minor cases the prosecutor may impose suitable non-custodial measures, as appropriate.

6. *Avoidance of pre-trial detention*

6.1 Pre-trial detention shall be used as a means of last resort in criminal proceedings, with due regard for the investigation of the alleged offence and for the protection of society and the victim.

6.2 Alternatives to pre-trial detention shall be employed at as early a stage as possible. Pre-trial detention shall last no longer than necessary to achieve the objectives stated under rule 6.1 and shall be administered humanely and with respect for the inherent dignity of human beings.

6.3 The offender shall have the right to appeal to a judicial or other competent independent authority in cases where pre-trial detention is employed.

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[82] Resolution 40/33, annex.

III. TRIAL AND SENTENCING STAGE

7. *Social inquiry reports*

7.1 If the possibility of social inquiry reports exists, the judicial authority may avail itself of a report prepared by a competent, authorized official or agency. The report should contain social information on the offender that is relevant to the person's pattern of offending and current offences. It should also contain information and recommendations that are relevant to the sentencing procedure. The report shall be factual, objective and unbiased, with any expression of opinion clearly identified.

8. *Sentencing dispositions*

8.1 The judicial authority, having at its disposal a range of non-custodial measures, should take into consideration in making its decision the rehabilitative needs of the offender, the protection of society and the interests of the victim, who should be consulted whenever appropriate.

8.2 Sentencing authorities may dispose of cases in the following ways:

(*a*) Verbal sanctions, such as admonition, reprimand and warning;

(*b*) Conditional discharge;

(*c*) Status penalties;

(*d*) Economic sanctions and monetary penalties, such as fines and day-fines;

(*e*) Confiscation or an expropriation order;

(*f*) Restitution to the victim or a compensation order;

(*g*) Suspended or deferred sentence;

(*h*) Probation and judicial supervision;

(*i*) A community service order;

(*j*) Referral to an attendance centre;

(*k*) House arrest;

(*l*) Any other mode of non-institutional treatment;

(*m*) Some combination of the measures listed above.

IV. POST-SENTENCING STAGE

9. *Post-sentencing dispositions*

9.1 The competent authority shall have at its disposal a wide range of post-sentencing alternatives in order to avoid institutionalization and to assist offenders in their early reintegration into society.

9.2 Post-sentencing dispositions may include:

(*a*) Furlough and half-way houses;

(*b*) Work or education release;

(*c*) Various forms of parole;

(*d*) Remission;

(*e*) Pardon.

9.3 The decision on post-sentencing dispositions, except in the case of pardon, shall be subject to review by a judicial or other competent independent authority, upon application of the offender.

9.4 Any form of release from an institution to a non-custodial programme shall be considered at the earliest possible stage.

V. IMPLEMENTATION OF NON-CUSTODIAL MEASURES

10. *Supervision*

10.1 The purpose of supervision is to reduce reoffending and to assist the offender's integration into society in a way which minimizes the likelihood of a return to crime.

10.2 If a non-custodial measure entails supervision, the latter shall be carried out by a competent authority under the specific conditions prescribed by law.

10.3 Within the framework of a given non-custodial measure, the most suitable type of supervision and treatment should be determined for each individual case aimed at assisting the offender to work on his or her offending. Supervision and treatment should be periodically reviewed and adjusted as necessary.

10.4 Offenders should, when needed, be provided with psychological, social and material assistance and with opportunities to strengthen links with the community and facilitate their reintegration into society.

11. *Duration*

11.1 The duration of a non-custodial measure shall not exceed the period established by the competent authority in accordance with the law.

11.2 Provision may be made for early termination of the measure if the offender has responded favourably to it.

12. *Conditions*

12.1 If the competent authority shall determine the conditions to be observed by the offender, it should take into account both the needs of society and the needs and rights of the offender and the victim.

12.2 The conditions to be observed shall be practical, precise and as few as possible, and shall be aimed at reducing the likelihood of an offender relapsing into criminal behaviour and at increasing the offender's chances of social integration, taking into account the needs of the victim.

12.3 At the beginning of the application of a non-custodial measure, the offender shall receive an explanation, orally and in writing, of the conditions governing the application of the measure, including the offender's obligations and rights.

12.4 The conditions may be modified by the competent authority under the established statutory provisions, in accordance with the progress made by the offender.

13. *Treatment process*

13.1 Within the framework of a given non-custodial measure, in appropriate cases, various schemes, such as case-work, group therapy, residential programmes and the specialized treatment of various categories of offenders, should be developed to meet the needs of offenders more effectively.

13.2 Treatment should be conducted by professionals who have suitable training and practical experience.

13.3 When it is decided that treatment is necessary, efforts should be made to understand the offender's background, personality, aptitude, intelligence, values and, especially, the circumstances leading to the commission of the offence.

13.4 The competent authority may involve the community and social support systems in the application of non-custodial measures.

13.5 Case-load assignments shall be maintained as far as practicable at a manageable level to ensure the effective implementation of treatment programmes.

13.6 For each offender, a case record shall be established and maintained by the competent authority.

14. *Discipline and breach of conditions*

14.1 A breach of the conditions to be observed by the offender may result in a modification or revocation of the non-custodial measure.

14.2 The modification or revocation of the non-custodial measure shall be made by the competent authority; this shall be done only after a careful examination of the facts adduced by both the supervising officer and the offender.

14.3 The failure of a non-custodial measure should not automatically lead to the imposition of a custodial measure.

14.4 In the event of a modification or revocation of the non-custodial measure, the competent authority shall attempt to establish a suitable alternative non-custodial measure. A sentence of imprisonment may be imposed only in the absence of other suitable alternatives.

14.5 The power to arrest and detain the offender under supervision in cases where there is a breach of the conditions shall be prescribed by law.

14.6 Upon modification or revocation of the non-custodial measure, the offender shall have the right to appeal to a judicial or other competent independent authority.

VI. STAFF

15. *Recruitment*

15.1 There shall be no discrimination in the recruitment of staff on the grounds of race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth or other status. The policy regarding staff recruitment should take into consideration national policies of affirmative action and reflect the diversity of the offenders to be supervised.

15.2 Persons appointed to apply non-custodial measures should be personally suitable and, whenever possible, have appropriate professional training and practical experience. Such qualifications shall be clearly specified.

15.3 To secure and retain qualified professional staff, appropriate service status, adequate salary and benefits commensurate with the nature of the work should be ensured and ample opportunities should be provided for professional growth and career development.

16. *Staff training*

16.1 The objective of training shall be to make clear to staff their responsibilities with regard to rehabilitating the offender, ensuring the offender's rights and protecting society. Training should also give staff an understanding of the need to co-operate in and co-ordinate activities with the agencies concerned.

16.2 Before entering duty, staff shall be given training that includes instruction on the nature of non-custodial measures, the purposes of supervision and the various modalities of the application of non-custodial measures.

16.3 After entering on duty, staff shall maintain and improve their knowledge and professional capacity by attending in-service training and refresher courses. Adequate facilities shall be made available for that purpose.

VII. VOLUNTEERS AND OTHER COMMUNITY RESOURCES

17. *Public participation*

17.1 Public participation should be encouraged as it is a major resource and one of the most important factors in improving ties between offenders undergoing non-custodial measures and the family and community. It should complement the efforts of the criminal justice administration.

17.2 Public participation should be regarded as an opportunity for members of the community to contribute to the protection of their society.

18. *Public understanding and co-operation*

18.1 Government agencies, the private sector and the general public should be encouraged to support voluntary organizations that promote non-custodial measures.

18.2 Conferences, seminars, symposia and other activities should be regularly organized to stimulate awareness of the need for public participation in the application of non-custodial measures.

18.3 All forms of the mass media should be utilized to help to create a constructive public attitude, leading to activities conducive to a broader application of non-custodial treatment and the social integration of offenders.

18.4 Every effort should be made to inform the public of the importance of its role in the implementation of non-custodial measures.

19. *Volunteers*

19.1 Volunteers shall be carefully screened and recruited on the basis of their aptitude for and interest in the work involved. They shall be properly trained for the specific responsibilities to be discharged by them and shall have access to support and counselling from, and the opportunity to consult with, the competent authority.

19.2 Volunteers should encourage offenders and their families to develop meaningful ties with the community and a broader sphere of contact by providing counselling and other appropriate forms of assistance according to their capacity and the offenders' needs.

19.3 Volunteers shall be insured against accident, injury and public liability when carrying out their duties. They shall be reimbursed for authorized expenditures incurred in the course of their work. Public recognition should be extended to them for the services they render for the well-being of the community.

VIII. RESEARCH, PLANNING, POLICY FORMULATION AND EVALUATION

20. *Research and planning*

20.1 As an essential aspect of the planning process, efforts should be made to involve both public and private bodies in the organization and promotion of research on the non-custodial treatment of offenders.

20.2 Research on the problems that confront clients, practitioners, the community and policy makers should be carried out on a regular basis.

20.3 Research and information mechanisms should be built into the criminal justice system for the collection and analysis of data and statistics on the implementation of non-custodial treatment for offenders.

21. *Policy formulation and programme development*

21.1 Programmes for non-custodial measures should be systematically planned and implemented as an integral part of the criminal justice system within the national development process.

21.2 Regular evaluations should be carried out with a view to implementing non-custodial measures more effectively.

21.3 Periodic reviews should be conducted to assess the objectives, functioning and effectiveness of non-custodial measures.

22. *Linkages with relevant agencies and activities*

22.1 Suitable mechanisms should be evolved at various levels to facilitate the establishment of linkages between services responsible for non-custodial measures, other branches of the criminal justice system, social development and welfare agencies, both governmental and non-governmental, in such fields as health, housing, education and labour, and the mass media.

23. *International co-operation*

23.1 Efforts shall be made to promote scientific co-operation between countries in the field of non-institutional treatment. Research, training, technical assistance and the exchange of information among Member States on non-custodial measures should be strengthened, through the United Nations institutes for the prevention of crime and the treatment of offenders, in close collaboration with the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the United Nations Secretariat.

23.2 Comparative studies and the harmonization of legislative provisions should be furthered to expand the range of non-institutional options and facilitate their application across national frontiers, in accordance with the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released.[83]

45/111. Basic Principles for the Treatment of Prisoners

The General Assembly,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights,

Bearing in mind also that sound policies of crime prevention and control are essential to viable planning for economic and social development,

Recognizing that the Standard Minimum Rules for the Treatment of Prisoners,[79] adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, are of great value and influence in the development of penal policy and practice,

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[83] Resolution 45/119, annex.

Considering the concern of previous United Nations congresses on the prevention of crime and the treatment of offenders, regarding the obstacles of various kinds that prevent the full implementation of the Standard Minimum Rules,

Believing that the full implementation of the Standard Minimum Rules would be facilitated by the articulation of the basic principles underlying them,

Recalling resolution 10 on the status of prisoners and resolution 17 on the human rights of prisoners, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[77]

Recalling also the statement submitted at the tenth session of the Committee on Crime Prevention and Control by Caritas Internationalis, the Commission of the Churches on International Affairs of the World Council of Churches, the International Association of Educators for World Peace, the International Council for Adult Education, the International Federation of Human Rights, the International Prisoners' Aid Association, the International Union of Students, the World Alliance of Young Men's Christian Associations and the World Council of Indigenous Peoples,[84] which are non-governmental organizations in consultative status with the Economic and Social Council, category II,

Recalling further the relevant recommendations contained in the report of the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic II, "Criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures",[78]

Aware that the Eighth Congress coincided with International Literacy Year, proclaimed by the General Assembly in its resolution 42/104 of 7 December 1987,

Desiring to reflect the perspective noted by the Seventh Congress, namely, that the function of the criminal justice system is to contribute to safeguarding the basic values and norms of society,

Recognizing the usefulness of drafting a declaration on the human rights of prisoners,

Affirms the Basic Principles for the Treatment of Prisoners, contained in the annex to the present resolution, and requests the Secretary-General to bring them to the attention of Member States.

68th plenary meeting
14 December 1990

ANNEX

Basic Principles for the Treatment of Prisoners

1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings.

2. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. It is, however, desirable to respect the religious beliefs and cultural precepts of the group to which prisoners belong, whenever local conditions so require.

4. The responsibility of prisons for the custody of prisoners and for the protection of society against crime shall be discharged in keeping with a State's other social objectives and its fundamental responsibilities for promoting the well-being and development of all members of society.

5. Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights[5] and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights[33] and the International Covenant on Civil and Political Rights and the Optional Protocol thereto,[33] as well as such other rights as are set out in other United Nations covenants.

6. All prisoners shall have the right to take part in cultural activities and education aimed at the full development of the human personality.

7. Efforts addressed to the abolition of solitary confinement as a punishment, or to the restriction of its use, should be undertaken and encouraged.

8. Conditions shall be created enabling prisoners to undertake meaningful remunerated employment which will facilitate their reintegration into the country's labour market and permit them to contribute to their own financial support and to that of their families.

9. Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation.

10. With the participation and help of the community and social institution, and with due regard to the interests of victims, favourable conditions shall be created for the reintegration of the ex-prisoner into society under the best possible conditions.

11. The above Principles shall be applied impartially.

45/112. United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

The General Assembly,

Bearing in mind the Universal Declaration of Human Rights,[5] the International Covenant on Economic, Social and Cultural Rights[33] and the International Covenant on Civil and Political Rights,[33] as well as other international instruments pertaining to the rights and well-being of young persons, including relevant standards established by the International Labour Organisation,

Bearing in mind also the Declaration of the Rights of the Child,[85] the Convention on the Rights of the Child[52] and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),[82]

Recalling General Assembly resolution 40/33 of 29 November 1985, by which the Assembly adopted the Beijing Rules recommended by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling that the General Assembly, in its resolution 40/35 of 29 November 1985, called for the development of standards for the prevention of juvenile delinquency which would assist Member States in formulating and implementing specialized programmes and policies, emphasizing assistance, care and community involvement, and called upon the Economic and Social Council to report to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the progress achieved with respect to these standards, for review and action,

Recalling also that the Economic and Social Council, in section II of its resolution 1986/10 of 21 May 1986, requested the Eighth Congress to consider the draft standards for the prevention of juvenile delinquency, with a view to their adoption,

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[84] See E/AC.57/1988/NGO/3.

[85] Resolution 1386 (XIV).

Recognizing the need to develop national, regional and international approaches and strategies for the prevention of juvenile delinquency,

Affirming that every child has basic human rights, including, in particular, access to free education,

Mindful of the large number of young persons who may or may not be in conflict with the law but who are abandoned, neglected, abused, exposed to drug abuse, and are in marginal circumstances and in general at social risk,

Taking into account the benefits of progressive policies for the prevention of delinquency and for the welfare of the community,

1. *Notes with satisfaction* the substantive work accomplished by the Committee on Crime Prevention and Control and the Secretary-General in the formulation of the guidelines for the prevention of juvenile delinquency;

2. *Expresses appreciation* for the valuable collaboration of the Arab Security Studies and Training Centre at Riyadh in hosting the International Meeting of Experts on the Development of the United Nations Draft Guidelines for the Prevention of Juvenile Delinquency, held at Riyadh from 28 February to 1 March 1988, in co-operation with the United Nations Office at Vienna;

3. *Adopts* the United Nations Guidelines for the Prevention of Juvenile Delinquency contained in the annex to the present resolution, to be designated "the Riyadh Guidelines";

4. *Calls upon* Member States, in their comprehensive crime prevention plans, to apply the Riyadh Guidelines in national law, policy and practice and to bring them to the attention of relevant authorities, including policy makers, juvenile justice personnel, educators, the mass media, practitioners and scholars;

5. *Requests* the Secretary-General and invites Member States to ensure the widest possible dissemination of the text of the Riyadh Guidelines in all of the official languages of the United Nations;

6. *Requests* the Secretary-General and invites all relevant United Nations offices and interested institutions, in particular the United Nations Children's Fund, as well as individual experts, to make a concerted effort to promote the application of the Riyadh Guidelines;

7. *Also requests* the Secretary-General to intensify research on particular situations of social risk and on the exploitation of children, including the use of children as instruments of criminality, with a view to developing comprehensive countermeasures and to report thereon to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

8. *Further requests* the Secretary-General to issue a composite manual on juvenile justice standards, containing the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines on the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[86] and a set of full commentaries on their provisions;

9. *Urges* all relevant bodies within the United Nations system to collaborate with the Secretary-General in taking appropriate measures to ensure the implementation of the present resolution;

10. *Invites* the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to consider this new international instrument with a view to promoting the application of its provisions;

11. *Invites* Member States to support strongly the organization of technical and scientific workshops and pilot and demonstration projects on practical issues and policy matters relating to the application of the provisions of the Riyadh Guidelines and to the establishment of concrete measures for community-based services designed to respond to the special needs, problems and concerns of young persons, and requests the Secretary-General to co-ordinate efforts in this respect;

12. *Also invites* Member States to inform the Secretary-General on the implementation of the Riyadh Guidelines and to report regularly to the Committee on Crime Prevention and Control on the results achieved;

13. *Recommends* that the Committee on Crime Prevention and Control request the Ninth Congress to review the progress made in the promotion and application of the Riyadh Guidelines and the recommendations contained in the present resolution, under a separate agenda item on juvenile justice, and keep the matter under constant review.

68th plenary meeting
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ANNEX

United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

I. FUNDAMENTAL PRINCIPLES

1. The prevention of juvenile delinquency is an essential part of crime prevention in society. By engaging in lawful, socially useful activities and adopting a humanistic orientation towards society and outlook on life, young persons can develop non-criminogenic attitudes.

2. The successful prevention of juvenile delinquency requires efforts on the part of the entire society to ensure the harmonious development of adolescents, with respect for and promotion of their personality from early childhood.

3. For the purposes of the interpretation of the present Guidelines, a child-centred orientation should be pursued. Young persons should have an active role and partnership within society and should not be considered as mere objects of socialization or control.

4. In the implementation of the present Guidelines, in accordance with national legal systems, the well-being of young persons from their early childhood should be the focus of any preventive programme.

5. The need for and importance of progressive delinquency prevention policies and the systematic study and the elaboration of measures should be recognized. These should avoid criminalizing and penalizing a child for behaviour that does not cause serious damage to the development of the child or harm to others. Such policies and measures should involve:

(*a*) The provision of opportunities, in particular educational opportunities, to meet the varying needs of young persons and to serve as a supportive framework for safeguarding the personal development of all young persons, particularly those who are demonstrably endangered or at social risk and are in need of special care and protection;

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[86] Resolution 45/113, annex.

(*b*) Specialized philosophies and approaches for delinquency prevention, on the basis of laws, processes, institutions, facilities and a service delivery network aimed at reducing the motivation, need and opportunity for, or conditions giving rise to, the commission of infractions;

(*c*) Official intervention to be pursued primarily in the overall interest of the young person and guided by fairness and equity;

(*d*) Safeguarding the well-being, development, rights and interests of all young persons;

(*e*) Consideration that youthful behaviour or conduct that does not conform to overall social norms and values is often part of the maturation and growth process and tends to disappear spontaneously in most individuals with the transition to adulthood;

(*f*) Awareness that, in the predominant opinion of experts, labelling a young person as "deviant", "delinquent" or "pre-delinquent" often contributes to the development of a consistent pattern of undesirable behaviour by young persons.

6. Community-based services and programmes should be developed for the prevention of juvenile delinquency, particularly where no agencies have yet been established. Formal agencies of social control should only be utilized as a means of last resort.

II. SCOPE OF THE GUIDELINES

7. The present Guidelines should be interpreted and implemented within the broad framework of the Universal Declaration of Human Rights,[5] the International Covenant on Economic, Social and Cultural Rights,[33] the International Covenant on Civil and Political Rights,[33] the Declaration of the Rights of the Child[85] and the Convention on the Rights of the Child,[52] and in the context of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),[82] as well as other instruments and norms relating to the rights, interests and well-being of all children and young persons.

8. The present Guidelines should also be implemented in the context of the economic, social and cultural conditions prevailing in each Member State.

III. GENERAL PREVENTION

9. Comprehensive prevention plans should be instituted at every level of government and include the following:

(*a*) In-depth analyses of the problem and inventories of programmes, services, facilities and resources available;

(*b*) Well-defined responsibilities for the qualified agencies, institutions and personnel involved in preventive efforts;

(*c*) Mechanisms for the appropriate co-ordination of prevention efforts between governmental and non-governmental agencies;

(*d*) Policies, programmes and strategies based on prognostic studies to be continuously monitored and carefully evaluated in the course of implementation;

(*e*) Methods for effectively reducing the opportunity to commit delinquent acts;

(*f*) Community involvement through a wide range of services and programmes;

(*g*) Close interdisciplinary co-operation between national, state, provincial and local governments, with the involvement of the private sector, representative citizens of the community to be served, and labour, child-care, health education, social, law enforcement and judicial agencies in taking concerted action to prevent juvenile delinquency and youth crime;

(*h*) Youth participation in delinquency prevention policies and processes, including recourse to community resources, youth self-help, and victim compensation and assistance programmes;

(*i*) Specialized personnel at all levels.

IV. SOCIALIZATION PROCESSES

10. Emphasis should be placed on preventive policies facilitating the successful socialization and integration of all children and young persons, in particular through the family, the community, peer groups, schools, vocational training and the world of work, as well as through voluntary organizations. Due respect should be given to the proper personal development of children and young persons, and they should be accepted as full and equal partners in socialization and integration processes.

A. FAMILY

11. Every society should place a high priority on the needs and well-being of the family and of all its members.

12. Since the family is the central unit responsible for the primary socialization of children, governmental and social efforts to preserve the integrity of the family, including the extended family, should be pursued. The society has a responsibility to assist the family in providing care and protection and in ensuring the physical and mental well-being of children. Adequate arrangements including day-care should be provided.

13. Governments should establish policies that are conducive to the bringing up of children in stable and settled family environments. Families in need of assistance in the resolution of conditions of instability or conflict should be provided with requisite services.

14. Where a stable and settled family environment is lacking and when community efforts to assist parents in this regard have failed and the extended family cannot fulfil this role, alternative placements, including foster care and adoption, should be considered. Such placements should replicate, to the extent possible, a stable and settled family environment, while, at the same time, establishing a sense of permanency for children, thus avoiding problems associated with "foster drift".

15. Special attention should be given to children of families affected by problems brought about by rapid and uneven economic, social and cultural change, in particular the children of indigenous, migrant and refugee families. As such changes may disrupt the social capacity of the family to secure the traditional rearing and nurturing of children, often as a result of role and culture conflict, innovative and socially constructive modalities for the socialization of children have to be designed.

16. Measures should be taken and programmes developed to provide families with the opportunity to learn about parental roles and obligations as regards child development and child care, promoting positive parent-child relationships, sensitizing parents to the problems of children and young persons and encouraging their involvement in family and community-based activities.

17. Governments should take measures to promote family cohesion and harmony and to discourage the separation of children from their parents, unless circumstances affecting the welfare and future of the child leave no viable alternative.

18. It is important to emphasize the socialization function of the family and extended family; it is also equally important to recognize the future role, responsibilities, participation and partnership of young persons in society.

19. In ensuring the right of the child to proper socialization, Governments and other agencies should rely on existing social and legal agencies, but, whenever traditional institutions and customs are no longer effective, they should also provide and allow for innovative measures.

B. EDUCATION

20. Governments are under an obligation to make public education accessible to all young persons.

21. Education systems should, in addition to their academic and vocational training activities, devote particular attention to the following:

(*a*) Teaching of basic values and developing respect for the child's own cultural identity and patterns, for the social values of the country in which the child is living, for civilizations different from the child's own and for human rights and fundamental freedoms;

(*b*) Promotion and development of the personality, talents and mental and physical abilities of young people to their fullest potential;

(*c*) Involvement of young persons as active and effective participants in, rather than mere objects of, the educational process;

(*d*) Undertaking activities that foster a sense of identity with and of belonging to the school and the community;

(*e*) Encouragement of young persons to understand and respect diverse views and opinions, as well as cultural and other differences;

(*f*) Provision of information and guidance regarding vocational training, employment opportunities and career development;

(*g*) Provision of positive emotional support to young persons and the avoidance of psychological maltreatment;

(*h*) Avoidance of harsh disciplinary measures, particularly corporal punishment.

22. Educational systems should seek to work together with parents, community organizations and agencies concerned with the activities of young persons.

23. Young persons and their families should be informed about the law and their rights and responsibilities under the law, as well as the universal value system, including United Nations instruments.

24. Educational systems should extend particular care and attention to young persons who are at social risk. Specialized prevention programmes and educational materials, curricula, approaches and tools should be developed and fully utilized.

25. Special attention should be given to comprehensive policies and strategies for the prevention of alcohol, drug and other substance abuse by young persons. Teachers and other professionals should be equipped and trained to prevent and deal with these problems. Information on the use and abuse of drugs, including alcohol, should be made available to the student body.

26. Schools should serve as resource and referral centres for the provision of medical, counselling and other services to young persons, particularly those with special needs and suffering from abuse, neglect, victimization and exploitation.

27. Through a variety of educational programmes, teachers and other adults and the student body should be sensitized to the problems, needs and perceptions of young persons, particularly those belonging to underprivileged, disadvantaged, ethnic or other minority and low-income groups.

28. School systems should attempt to meet and promote the highest professional and educational standards with respect to curricula, teaching and learning methods and approaches, and the recruitment and training of qualified teachers. Regular monitoring and assessment of performance by the appropriate professional organizations and authorities should be ensured.

29. School systems should plan, develop and implement extra-curricular activities of interest to young persons, in co-operation with community groups.

30. Special assistance should be given to children and young persons who find it difficult to comply with attendance codes, and to "drop-outs".

31. Schools should promote policies and rules that are fair and just; students should be represented in bodies formulating school policy, including policy on discipline, and decision-making.

C. COMMUNITY

32. Community-based services and programmes which respond to the special needs, problems, interests and concerns of young persons and which offer appropriate counselling and guidance to young persons and their families should be developed, or strengthened where they exist.

33. Communities should provide, or strengthen where they exist, a wide range of community-based support measures for young persons, including community development centres, recreational facilities and services to respond to the special problems of children who are at social risk. In providing these helping measures, respect for individual rights should be ensured.

34. Special facilities should be set up to provide adequate shelter for young persons who are no longer able to live at home or who do not have homes to live in.

35. A range of services and helping measures should be provided to deal with the difficulties experienced by young persons in the transition to adulthood. Such services should include special programmes for young drug abusers which emphasize care, counselling, assistance and therapy-oriented interventions.

36. Voluntary organizations providing services for young persons should be given financial and other support by Governments and other institutions.

37. Youth organizations should be created or strengthened at the local level and given full participatory status in the management of community affairs. These organizations should encourage youth to organize collective and voluntary projects, particularly projects aimed at helping young persons in need of assistance.

38. Government agencies should take special responsibility and provide necessary services for homeless or street children; information about local facilities, accommodation, employment and other forms and sources of help should be made readily available to young persons.

39. A wide range of recreational facilities and services of particular interest to young persons should be established and made easily accessible to them.

D. MASS MEDIA

40. The mass media should be encouraged to ensure that young persons have access to information and material from a diversity of national and international sources.

41. The mass media should be encouraged to portray the positive contribution of young persons to society.

42. The mass media should be encouraged to disseminate information on the existence of services, facilities and opportunities for young persons in society.

43. The mass media generally, and the television and film media in particular, should be encouraged to minimize the level of pornography, drugs and violence portrayed and to display violence and exploitation disfavourably, as well as to avoid demeaning and degrading presentations, especially of children, women and interpersonal relations, and to promote egalitarian principles and roles.

44. The mass media should be aware of its extensive social role and responsibility, as well as its influence, in communications relating to youthful drug and alcohol abuse. It should use its power for drug abuse prevention by relaying consistent messages through a balanced approach. Effective drug awareness campaigns at all levels should be promoted.

V. SOCIAL POLICY

45. Government agencies should give high priority to plans and programmes for young persons and should provide sufficient funds and other resources for the effective delivery of services, facilities and staff for adequate medical and mental health care, nutrition, housing and other relevant services, including drug and alcohol abuse prevention and treatment, ensuring that such resources reach and actually benefit young persons.

46. The institutionalization of young persons should be a measure of last resort and for the minimum necessary period, and the best interests of the young person should be of paramount importance. Criteria authorizing formal intervention of this type should be strictly defined and limited to the following situations: (*a*) where the child or young person has suffered harm that has been inflicted by the parents or guardians; (*b*) where the child or young person has been sexually, physically or emotionally abused by the parents or guardians; (*c*) where the child or young person has been neglected, abandoned or exploited by the parents or guardians; (*d*) where the child or young person is threatened by physical or moral danger due to the behaviour of the parents or guardians; and (*e*) where a serious physical or psychological danger to the child or young person has manifested itself in his or her own behaviour and neither the parents, the guardians, the juvenile himself or herself nor non-residential community services can meet the danger by means other than institutionalization.

47. Government agencies should provide young persons with the opportunity of continuing in full-time education, funded by the State where parents or guardians are unable to support the young persons, and of receiving work experience.

48. Programmes to prevent delinquency should be planned and developed on the basis of reliable, scientific research findings, and periodically monitored, evaluated and adjusted accordingly.

49. Scientific information should be disseminated to the professional community and to the public at large about the sort of behaviour or situation which indicates or may result in physical and psychological victimization, harm and abuse, as well as exploitation, of young persons.

50. Generally, participation in plans and programmes should be voluntary. Young persons themselves should be involved in their formulation, development and implementation.

51. Governments should begin or continue to explore, develop and implement policies, measures and strategies within and outside the criminal justice system to prevent domestic violence against and affecting young persons and to ensure fair treatment to these victims of domestic violence.

VI. LEGISLATION AND JUVENILE JUSTICE ADMINISTRATION

52. Governments should enact and enforce specific laws and procedures to promote and protect the rights and well-being of all young persons.

53. Legislation preventing the victimization, abuse, exploitation and the use for criminal activities of children and young persons should be enacted and enforced.

54. No child or young person should be subjected to harsh or degrading correction or punishment measures at home, in schools or in any other institutions.

55. Legislation and enforcement aimed at restricting and controlling accessibility of weapons of any sort to children and young persons should be pursued.

56. In order to prevent further stigmatization, victimization and criminalization of young persons, legislation should be enacted to ensure that any conduct not considered an offence or not penalized if committed by an adult is not considered an offence and not penalized if committed by a young person.

57. Consideration should be given to the establishment of an office of ombudsman or similar independent organ, which would ensure that the status, rights and interests of young persons are upheld and that proper referral to available services is made. The ombudsman or other organ designated would also supervise the implementation of the Riyadh Guidelines, the Beijing Rules and the Rules for the Protection of Juveniles Deprived of their Liberty. The ombudsman or other organ would, at regular intervals, publish a report on the progress made and on the difficulties encountered in the implementation of the instrument. Child advocacy services should also be established.

58. Law enforcement and other relevant personnel, of both sexes, should be trained to respond to the special needs of young persons and should be familiar with and use, to the maximum extent possible, programmes and referral possibilities for the diversion of young persons from the justice system.

59. Legislation should be enacted and strictly enforced to protect children and young persons from drug abuse and drug traffickers.

VII. RESEARCH, POLICY DEVELOPMENT AND CO-ORDINATION

60. Efforts should be made and appropriate mechanisms established to promote, on both a multidisciplinary and an intradisciplinary basis, interaction and co-ordination between economic, social, educational and health agencies and services, the justice system, youth, community and development agencies and other relevant institutions.

61. The exchange of information, experience and expertise gained through projects, programmes, practices and initiatives relating to youth crime, delinquency prevention and juvenile justice should be intensified at the national, regional and international levels.

62. Regional and international co-operation on matters of youth crime, delinquency prevention and juvenile justice involving practitioners, experts and decision makers should be further developed and strengthened.

63. Technical and scientific co-operation on practical and policy-related matters, particularly in training, pilot and demonstration projects, and on specific issues concerning the prevention of youth crime and juvenile delinquency should be strongly supported by all Governments, the United Nations system and other concerned organizations.

64. Collaboration should be encouraged in undertaking scientific research with respect to effective modalities for youth crime and juvenile delinquency prevention and the findings of such research should be widely disseminated and evaluated.

65. Appropriate United Nations bodies, institutes, agencies and offices should pursue close collaboration and co-ordination on various questions related to children, juvenile justice and youth crime and juvenile delinquency prevention.

66. On the basis of the present Guidelines, the United Nations Secretariat, in co-operation with interested institutions, should play an active role in the conduct of research, scientific collaboration, the formulation of policy options and the review and monitoring of their implementation, and should serve as a source of reliable information on effective modalities for delinquency prevention.

45/113. United Nations Rules for the Protection of Juveniles Deprived of their Liberty

The General Assembly,

Bearing in mind the Universal Declaration of Human Rights,[5] the International Covenant on Civil and Political Rights,[33] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[87] and the Convention on the Rights of the Child,[52] as well as other international instruments relating to the protection of the rights and well-being of young persons,

Bearing in mind also the Standard Minimum Rules for the Treatment of Prisoners[79] adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Bearing in mind further the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, approved by the General Assembly by its resolution 43/173 of 9 December 1988 and contained in the annex thereto,

Recalling the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),[82]

Recalling also resolution 21 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[77] in which the Congress called for the development of rules for the protection of juveniles deprived of their liberty,

Recalling further that the Economic and Social Council, in section II of its resolution 1986/10 of 21 May 1986, requested the Secretary-General to report on progress achieved in the development of the rules to the Committee on Crime Prevention and Control at its tenth session and requested the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider the proposed rules with a view to their adoption,

Alarmed at the conditions and circumstances under which juveniles are being deprived of their liberty world wide,

Aware that juveniles deprived of their liberty are highly vulnerable to abuse, victimization and the violation of their rights,

Concerned that many systems do not differentiate between adults and juveniles at various stages of the administration of justice and that juveniles are therefore being held in gaols and facilities with adults,

1. *Affirms* that the placement of a juvenile in an institution should always be a disposition of last resort and for the minimum necessary period;

2. *Recognizes* that, because of their high vulnerability, juveniles deprived of their liberty require special attention and protection and that their rights and well-being should be guaranteed during and after the period when they are deprived of their liberty;

3. *Notes with appreciation* the valuable work of the Secretariat and the collaboration which has been established between the Secretariat and experts, practitioners, intergovernmental organizations, the non-governmental community, particularly Amnesty International, Defence for Children International and Rädda Barnen

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[87] Resolution 39/46, annex.

International (Swedish Save the Children Federation), and scientific institutions concerned with the rights of children and juvenile justice in the development of the United Nations draft Rules for the Protection of Juveniles Deprived of their Liberty;

4. *Adopts* the United Nations Rules for the Protection of Juveniles Deprived of their Liberty contained in the annex to the present resolution;

5. *Calls upon* the Committee on Crime Prevention and Control to formulate measures for the effective implementation of the Rules, with the assistance of the United Nations institutes on the prevention of crime and the treatment of offenders;

6. *Invites* Member States to adapt, wherever necessary, their national legislation, policies and practices, particularly in the training of all categories of juvenile justice personnel, to the spirit of the Rules, and to bring them to the attention of relevant authorities and the public in general;

7. *Also invites* Member States to inform the Secretary-General of their efforts to apply the Rules in law, policy and practice and to report regularly to the Committee on Crime Prevention and Control on the results achieved in their implementation;

8. *Requests* the Secretary-General and invites Member States to ensure the widest possible dissemination of the text of the Rules in all of the official languages of the United Nations;

9. *Requests* the Secretary-General to conduct comparative research, pursue the requisite collaboration and devise strategies to deal with the different categories of serious and persistent young offenders, and to prepare a policy-oriented report thereon for submission to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

10. *Also requests* the Secretary-General and urges Member States to allocate the necessary resources to ensure the successful application and implementation of the Rules, in particular in the areas of recruitment, training and exchange of all categories of juvenile justice personnel;

11. *Urges* all relevant bodies of the United Nations system, in particular the United Nations Children's Fund, the regional commissions and specialized agencies, the United Nations institutes for the prevention of crime and the treatment of offenders and all concerned intergovernmental and non-governmental organizations, to collaborate with the Secretary-General and to take the necessary measures to ensure a concerted and sustained effort within their respective fields of technical competence to promote the application of the Rules;

12. *Invites* the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to consider this new international instrument, with a view to promoting the application of its provisions;

13. *Requests* the Ninth Congress to review the progress made on the promotion and application of the Rules and on the recommendations contained in the present resolution, under a separate agenda item on juvenile justice.

68th plenary meeting
14 December 1990

ANNEX

United Nations Rules for the Protection of Juveniles Deprived of their Liberty

I. FUNDAMENTAL PERSPECTIVES

1. The juvenile justice system should uphold the rights and safety and promote the physical and mental well-being of juveniles. Imprisonment should be used as a last resort.

2. Juveniles should only be deprived of their liberty in accordance with the principles and procedures set forth in these Rules and in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules).[82] Deprivation of the liberty of a juvenile should be a disposition of last resort and for the minimum necessary period and should be limited to exceptional cases. The length of the sanction should be determined by the judicial authority, without precluding the possibility of his or her early release.

3. The Rules are intended to establish minimum standards accepted by the United Nations for the protection of juveniles deprived of their liberty in all forms, consistent with human rights and fundamental freedoms, with a view to counteracting the detrimental effects of all types of detention and to fostering integration in society.

4. The Rules should be applied impartially, without discrimination of any kind as to race, colour, sex, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin, and disability. The religious and cultural beliefs, practices and moral concepts of the juvenile should be respected.

5. The Rules are designed to serve as convenient standards of reference and to provide encouragement and guidance to professionals involved in the management of the juvenile justice system.

6. The Rules should be made readily available to juvenile justice personnel in their national languages. Juveniles who are not fluent in the language spoken by the personnel of the detention facility should have the right to the services of an interpreter free of charge whenever necessary, in particular during medical examinations and disciplinary proceedings.

7. Where appropriate, States should incorporate the Rules into their legislation or amend it accordingly and provide effective remedies for their breach, including compensation when injuries are inflicted on juveniles. States should also monitor the application of the Rules.

8. The competent authorities should constantly seek to increase the awareness of the public that the care of detained juveniles and preparation for their return to society is a social service of great importance, and to this end active steps should be taken to foster open contacts between the juveniles and the local community.

9. Nothing in the Rules should be interpreted as precluding the application of the relevant United Nations and human rights instruments and standards, recognized by the international community, that are more conducive to ensuring the rights, care and protection of juveniles, children and all young persons.

10. In the event that the practical application of particular rules contained in sections II to V, inclusive, presents any conflict with the rules contained in the present section, compliance with the latter shall be regarded as the predominant requirement.

II. SCOPE AND APPLICATION OF THE RULES

11. For the purposes of the Rules, the following definitions should apply:

(*a*) A juvenile is every person under the age of 18. The age limit below which it should not be permitted to deprive a child of his or her liberty should be determined by law;

(*b*) The deprivation of liberty means any form of detention or imprisonment or the placement of a person in a public or private custodial setting, from which this person is not permitted to leave at will, by order of any judicial, administrative or other public authority.

12. The deprivation of liberty should be effected in conditions and circumstances which ensure respect for the human rights of juveniles. Juveniles detained in facilities should be guaranteed the benefit of meaningful activities and programmes which would serve to promote and sustain their health and self-respect, to foster their sense of responsibility and encourage those attitudes and skills that will assist them in developing their potential as members of society.

13. Juveniles deprived of their liberty shall not for any reason related to their status be denied the civil, economic, political, social or cultural rights to which they are entitled under national or international law, and which are compatible with the deprivation of liberty.

14. The protection of the individual rights of juveniles with special regard to the legality of the execution of the detention measures shall be ensured by the competent authority, while the objectives of social integration should be secured by regular inspections and other means of control carried out, according to international standards, national laws and regulations, by a duly constituted body authorized to visit the juveniles and not belonging to the detention facility.

15. The Rules apply to all types and forms of detention facilities in which juveniles are deprived of their liberty. Sections I, II, IV and V of the Rules apply to all detention facilities and institutional settings in which juveniles are detained, and section III applies specifically to juveniles under arrest or awaiting trial.

16. The Rules shall be implemented in the context of the economic, social and cultural conditions prevailing in each Member State.

III. JUVENILES UNDER ARREST OR AWAITING TRIAL

17. Juveniles who are detained under arrest or awaiting trial ("untried") are presumed innocent and shall be treated as such. Detention before trial shall be avoided to the extent possible and limited to exceptional circumstances. Therefore, all efforts shall be made to apply alternative measures. When preventive detention is nevertheless used, juvenile courts and investigative bodies shall give the highest priority to the most expeditious processing of such cases to ensure the shortest possible duration of detention. Untried detainees should be separated from convicted juveniles.

18. The conditions under which an untried juvenile is detained should be consistent with the rules set out below, with additional specific provisions as are necessary and appropriate, given the requirements of the presumption of innocence, the duration of the detention and the legal status and circumstances of the juvenile. These provisions would include, but not necessarily be restricted to, the following:

(*a*) Juveniles should have the right of legal counsel and be enabled to apply for free legal aid, where such aid is available, and to communicate regularly with their legal advisers. Privacy and confidentiality shall be ensured for such communications;

(*b*) Juveniles should be provided, where possible, with opportunities to pursue work, with remuneration, and continue education or training, but should not be required to do so. Work, education or training should not cause the continuation of the detention;

(*c*) Juveniles should receive and retain materials for their leisure and recreation as are compatible with the interests of the administration of justice.

IV. THE MANAGEMENT OF JUVENILE FACILITIES

A. RECORDS

19. All reports, including legal records, medical records and records of disciplinary proceedings, and all other documents relating to the form, content and details of treatment, should be placed in a confidential individual file, which should be kept up to date, accessible only to authorized persons and classified in such a way as to be easily understood. Where possible, every juvenile should have the right to contest any fact or opinion contained in his or her file so as to permit rectification of inaccurate, unfounded or unfair statements. In order to exercise this right, there should be procedures that allow an appropriate third party to have access to and to consult the file on request. Upon release, the records of juveniles shall be sealed, and, at an appropriate time, expunged.

20. No juvenile should be received in any detention facility without a valid commitment order of a judicial, administrative or other public authority. The details of this order should be immediately entered in the register. No juvenile should be detained in any facility where there is no such register.

B. ADMISSION, REGISTRATION, MOVEMENT AND TRANSFER

21. In every place where juveniles are detained, a complete and secure record of the following information should be kept concerning each juvenile received:

(*a*) Information on the identity of the juvenile;

(*b*) The fact of and reasons for commitment and the authority therefor;

(*c*) The day and hour of admission, transfer and release;

(*d*) Details of the notifications to parents and guardians on every admission, transfer or release of the juvenile in their care at the time of commitment;

(*e*) Details of known physical and mental health problems, including drug and alcohol abuse.

22. The information on admission, place, transfer and release should be provided without delay to the parents and guardians or closest relative of the juvenile concerned.

23. As soon as possible after reception, full reports and relevant information on the personal situation and circumstances of each juvenile should be drawn up and submitted to the administration.

24. On admission, all juveniles shall be given a copy of the rules governing the detention facility and a written description of their rights and obligations in a language they can understand, together with the address of the authorities competent to receive complaints, as well as the address of public or private agencies and organizations which provide legal assistance. For those juveniles who are illiterate or who cannot understand the language in the written form, the information should be conveyed in a manner enabling full comprehension.

25. All juveniles should be helped to understand the regulations governing the internal organization of the facility, the goals and methodology of the care provided, the disciplinary requirements and procedures, other authorized methods of seeking information and of making complaints, and all such other matters as are necessary to enable them to understand fully their rights and obligations during detention.

26. The transport of juveniles should be carried out at the expense of the administration in conveyances with adequate ventilation and light, in conditions that should in no way subject them to hardship or indignity. Juveniles should not be transferred from one facility to another arbitrarily.

C. CLASSIFICATION AND PLACEMENT

27. As soon as possible after the moment of admission, each juvenile should be interviewed, and a psychological and social report identifying any factors relevant to the specific type and level of care and programme required by the juvenile should be prepared. This report, together with the report prepared by a medical officer who has examined the juvenile upon admission, should be forwarded to the director for purposes of determining the most appropriate placement for the juvenile within the facility and the specific type and level of care and programme required and to be pursued. When special rehabilitative treatment is required, and the length of stay in the facility permits, trained personnel of the facility should prepare a written, individualized treatment plan specifying treatment objectives and time-frame and the means, stages and delays with which the objectives should be approached.

28. The detention of juveniles should only take place under conditions that take full account of their particular needs, status and special requirements according to their age, personality, sex and type of offence, as well as mental and physical health, and which ensure their protection from harmful influences and risk situations. The principal criterion for the separation of different categories of juveniles deprived of their liberty should be the provision of the type of care best suited to the particular needs of the individuals concerned and the protection of their physical, mental and moral integrity and well-being.

29. In all detention facilities juveniles should be separated from adults, unless they are members of the same family. Under controlled conditions, juveniles may be brought together with carefully selected adults as part of a special programme that has been shown to be beneficial for the juveniles concerned.

30. Open detention facilities for juveniles should be established. Open detention facilities are those with no or minimal security measures. The population in such detention facilities should be as small as possible. The number of juveniles detained in closed facilities

should be small enough to enable individualized treatment. Detention facilities for juveniles should be decentralized and of such size as to facilitate access and contact between the juveniles and their families. Small-scale detention facilities should be established and integrated into the social, economic and cultural environment of the community.

D. PHYSICAL ENVIRONMENT AND ACCOMMODATION

31. Juveniles deprived of their liberty have the right to facilities and services that meet all the requirements of health and human dignity.

32. The design of detention facilities for juveniles and the physical environment should be in keeping with the rehabilitative aim of residential treatment, with due regard to the need of the juvenile for privacy, sensory stimuli, opportunities for association with peers and participation in sports, physical exercise and leisure-time activities. The design and structure of juvenile detention facilities should be such as to minimize the risk of fire and to ensure safe evacuation from the premises. There should be an effective alarm system in case of fire, as well as formal and drilled procedures to ensure the safety of the juveniles. Detention facilities should not be located in areas where there are known health or other hazards or risks.

33. Sleeping accommodation should normally consist of small group dormitories or individual bedrooms, account being taken of local standards. During sleeping hours there should be regular, unobtrusive supervision of all sleeping areas, including individual rooms and group dormitories, in order to ensure the protection of each juvenile. Every juvenile should, in accordance with local or national standards, be provided with separate and sufficient bedding, which should be clean when issued, kept in good order and changed often enough to ensure cleanliness.

34. Sanitary installations should be so located and of a sufficient standard to enable every juvenile to comply, as required, with their physical needs in privacy and in a clean and decent manner.

35. The possession of personal effects is a basic element of the right to privacy and essential to the psychological well-being of the juvenile. The right of every juvenile to possess personal effects and to have adequate storage facilities for them should be fully recognized and respected. Personal effects that the juvenile does not choose to retain or that are confiscated should be placed in safe custody. An inventory thereof should be signed by the juvenile. Steps should be taken to keep them in good condition. All such articles and money should be returned to the juvenile on release, except in so far as he or she has been authorized to spend money or send such property out of the facility. If a juvenile receives or is found in possession of any medicine, the medical officer should decide what use should be made of it.

36. To the extent possible juveniles should have the right to use their own clothing. Detention facilities should ensure that each juvenile has personal clothing suitable for the climate and adequate to ensure good health, and which should in no manner be degrading or humiliating. Juveniles removed from or leaving a facility for any purpose should be allowed to wear their own clothing.

37. Every detention facility shall ensure that every juvenile receives food that is suitably prepared and presented at normal meal times and of a quality and quantity to satisfy the standards of dietetics, hygiene and health and, as far as possible, religious and cultural requirements. Clean drinking water should be available to every juvenile at any time.

E. EDUCATION, VOCATIONAL TRAINING AND WORK

38. Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided outside the detention facility in community schools wherever possible and, in any case, by qualified teachers through programmes integrated with the education system of the country so that, after release, juveniles may continue their education without difficulty. Special attention should be given by the administration of the detention facilities to the education of juveniles of foreign origin or with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education.

39. Juveniles above compulsory school age who wish to continue their education should be permitted and encouraged to do so, and every effort should be made to provide them with access to appropriate educational programmes.

40. Diplomas or educational certificates awarded to juveniles while in detention should not indicate in any way that the juvenile has been institutionalized.

41. Every detention facility should provide access to a library that is adequately stocked with both instructional and recreational books and periodicals suitable for the juveniles, who should be encouraged and enabled to make full use of it.

42. Every juvenile should have the right to receive vocational training in occupations likely to prepare him or her for future employment.

43. With due regard to proper vocational selection and to the requirements of institutional administration, juveniles should be able to choose the type of work they wish to perform.

44. All protective national and international standards applicable to child labour and young workers should apply to juveniles deprived of their liberty.

45. Wherever possible, juveniles should be provided with the opportunity to perform remunerated labour, if possible within the local community, as a complement to the vocational training provided in order to enhance the possibility of finding suitable employment when they return to their communities. The type of work should be such as to provide appropriate training that will be of benefit to the juveniles following release. The organization and methods of work offered in detention facilities should resemble as closely as possible those of similar work in the community, so as to prepare juveniles for the conditions of normal occupational life.

46. Every juvenile who performs work should have the right to an equitable remuneration. The interests of the juveniles and of their vocational training should not be subordinated to the purpose of making a profit for the detention facility or a third party. Part of the earnings of a juvenile should normally be set aside to constitute a savings fund to be handed over to the juvenile on release. The juvenile should have the right to use the remainder of those earnings to purchase articles for his or her own use or to indemnify the victim injured by his or her offence or to send it to his or her family or other persons outside the detention facility.

F. RECREATION

47. Every juvenile should have the right to a suitable amount of time for daily free exercise, in the open air whenever weather permits, during which time appropriate recreational and physical training should normally be provided. Adequate space, installations and equipment should be provided for these activities. Every juvenile should have additional time for daily leisure activities, part of which should be devoted, if the juvenile so wishes, to arts and crafts skill development. The detention facility should ensure that each juvenile is physically able to participate in the available programmes of physical education. Remedial physical education and therapy should be offered, under medical supervision, to juveniles needing it.

G. RELIGION

48. Every juvenile should be allowed to satisfy the needs of his or her religious and spiritual life, in particular by attending the services or meetings provided in the detention facility or by conducting his or her own services and having possession of the necessary books or items of religious observance and instruction of his or her denomination. If a detention facility contains a sufficient number of juveniles of a given religion, one or more qualified representatives of that religion should be appointed or approved and allowed to hold regular services and to pay pastoral visits in private to juveniles at their request. Every juvenile should have the right to receive visits from a qualified representative of any religion of his or her choice, as well as the right not to participate in religious services and freely to decline religious education, counselling or indoctrination.

H. MEDICAL CARE

49. Every juvenile shall receive adequate medical care, both preventive and remedial, including dental, ophthalmological and mental health care, as well as pharmaceutical products and special diets as medically indicated. All such medical care should, where possible, be provided to detained juveniles through the appropriate health facilities and services of the community in which the detention facility is located, in order to prevent stigmatization of the juvenile and promote self-respect and integration into the community.

50. Every juvenile has a right to be examined by a physician immediately upon admission to a detention facility, for the purpose of

recording any evidence of prior ill-treatment and identifying any physical or mental condition requiring medical attention.

51. The medical services provided to juveniles should seek to detect and should treat any physical or mental illness, substance abuse or other condition that may hinder the integration of the juvenile into society. Every detention facility for juveniles should have immediate access to adequate medical facilities and equipment appropriate to the number and requirements of its residents and staff trained in preventive health care and the handling of medical emergencies. Every juvenile who is ill, who complains of illness or who demonstrates symptoms of physical or mental difficulties should be examined promptly by a medical officer.

52. Any medical officer who has reason to believe that the physical or mental health of a juvenile has been or will be injuriously affected by continued detention, a hunger strike or any condition of detention should report this fact immediately to the director of the detention facility in question and to the independent authority responsible for safeguarding the well-being of the juvenile.

53. A juvenile who is suffering from mental illness should be treated in a specialized institution under independent medical management. Steps should be taken, by arrangement with appropriate agencies, to ensure any necessary continuation of mental health care after release.

54. Juvenile detention facilities should adopt specialized drug abuse prevention and rehabilitation programmes administered by qualified personnel. These programmes should be adapted to the age, sex and other requirements of the juveniles concerned, and detoxification facilities and services staffed by trained personnel should be available to drug- or alcohol-dependent juveniles.

55. Medicines should be administered only for necessary treatment on medical grounds and, when possible, after having obtained the informed consent of the juvenile concerned. In particular, they must not be administered with a view to eliciting information or a confession, as a punishment or as a means of restraint. Juveniles shall never be testees in the experimental use of drugs and treatment. The administration of any drug should always be authorized and carried out by qualified medical personnel.

I. NOTIFICATION OF ILLNESS, INJURY AND DEATH

56. The family or guardian of a juvenile and any other person designated by the juvenile have the right to be informed of the state of health of the juvenile on request and in the event of any important changes in the health of the juvenile. The director of the detention facility should notify immediately the family or guardian of the juvenile concerned, or other designated person, in case of death, illness requiring transfer of the juvenile to an outside medical facility, or a condition requiring clinical care within the detention facility for more than 48 hours. Notification should also be given to the consular authorities of the State of which a foreign juvenile is a citizen.

57. Upon the death of a juvenile during the period of deprivation of liberty, the nearest relative should have the right to inspect the death certificate, see the body and determine the method of disposal of the body. Upon the death of a juvenile in detention, there should be an independent inquiry into the causes of death, the report of which should be made accessible to the nearest relative. This inquiry should also be made when the death of a juvenile occurs within six months from the date of his or her release from the detention facility and there is reason to believe that the death is related to the period of detention.

58. A juvenile should be informed at the earliest possible time of the death, serious illness or injury of any immediate family member and should be provided with the opportunity to attend the funeral of the deceased or go to the bedside of a critically ill relative.

J. CONTACTS WITH THE WIDER COMMUNITY

59. Every means should be provided to ensure that juveniles have adequate communication with the outside world, which is an integral part of the right to fair and humane treatment and is essential to the preparation of juveniles for their return to society. Juveniles should be allowed to communicate with their families, friends and other persons or representatives of reputable outside organizations, to leave detention facilities for a visit to their home and family and to receive special permission to leave the detention facility for educational, vocational or other important reasons. Should the juvenile be serving a sentence, the time spent outside a detention facility should be counted as part of the period of sentence.

60. Every juvenile should have the right to receive regular and frequent visits, in principle once a week and not less than once a month, in circumstances that respect the need of the juvenile for privacy, contact and unrestricted communication with the family and the defence counsel.

61. Every juvenile should have the right to communicate in writing or by telephone at least twice a week with the person of his or her choice, unless legally restricted, and should be assisted as necessary in order effectively to enjoy this right. Every juvenile should have the right to receive correspondence.

62. Juveniles should have the opportunity to keep themselves informed regularly of the news by reading newspapers, periodicals and other publications, through access to radio and television programmes and motion pictures, and through the visits of the representatives of any lawful club or organization in which the juvenile is interested.

K. LIMITATIONS OF PHYSICAL RESTRAINT AND THE USE OF FORCE

63. Recourse to instruments of restraint and to force for any purpose should be prohibited, except as set forth in rule 64 below.

64. Instruments of restraint and force can only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorized and specified by law and regulation. They should not cause humiliation or degradation, and should be used restrictively and only for the shortest possible period of time. By order of the director of the administration, such instruments might be resorted to in order to prevent the juvenile from inflicting self-injury, injuries to others or serious destruction of property. In such instances, the director should at once consult medical and other relevant personnel and report to the higher administrative authority.

65. The carrying and use of weapons by personnel should be prohibited in any facility where juveniles are detained.

L. DISCIPLINARY PROCEDURES

66. Any disciplinary measures and procedures should maintain the interest of safety and an ordered community life and should be consistent with the upholding of the inherent dignity of the juvenile and the fundamental objective of institutional care, namely, instilling a sense of justice, self-respect and respect for the basic rights of every person.

67. All disciplinary measures constituting cruel, inhuman or degrading treatment shall be strictly prohibited, including corporal punishment, placement in a dark cell, closed or solitary confinement or any other punishment that may compromise the physical or mental health of the juvenile concerned. The reduction of diet and the restriction or denial of contact with family members should be prohibited for any purpose. Labour should always be viewed as an educational tool and a means of promoting the self-respect of the juvenile in preparing him or her for return to the community and should not be imposed as a disciplinary sanction. No juvenile should be sanctioned more than once for the same disciplinary infraction. Collective sanctions should be prohibited.

68. Legislation or regulations adopted by the competent administrative authority should establish norms concerning the following, taking full account of the fundamental characteristics, needs and rights of juveniles:

(*a*) Conduct constituting a disciplinary offence;

(*b*) Type and duration of disciplinary sanctions that may be inflicted;

(*c*) The authority competent to impose such sanctions;

(*d*) The authority competent to consider appeals.

69. A report of misconduct should be presented promptly to the competent authority, which should decide on it without undue delay. The competent authority should conduct a thorough examination of the case.

70. No juvenile should be disciplinarily sanctioned except in strict accordance with the terms of the law and regulations in force. No juvenile should be sanctioned unless he or she has been informed of the alleged infraction in a manner appropriate to the full understanding of the juvenile, and given a proper opportunity of presenting his or her defence, including the right of appeal to a competent impartial authority. Complete records should be kept of all disciplinary proceedings.

71. No juveniles should be responsible for disciplinary functions except in the supervision of specified social, educational or sports activities or in self-government programmes.

M. INSPECTION AND COMPLAINTS

72. Qualified inspectors or an equivalent duly constituted authority not belonging to the administration of the facility should be empowered to conduct inspections on a regular basis and to undertake unannounced inspections on their own initiative, and should enjoy full guarantees of independence in the exercise of this function. Inspectors should have unrestricted access to all persons employed by or working in any facility where juveniles are or may be deprived of their liberty, to all juveniles and to all records of such facilities.

73. Qualified medical officers attached to the inspecting authority or the public health service should participate in the inspections, evaluating compliance with the rules concerning the physical environment, hygiene, accommodation, food, exercise and medical services, as well as any other aspect or conditions of institutional life that affect the physical and mental health of juveniles. Every juvenile should have the right to talk in confidence to any inspecting officer.

74. After completing the inspection, the inspector should be required to submit a report on the findings. The report should include an evaluation of the compliance of the detention facilities with the present rules and relevant provisions of national law, and recommendations regarding any steps considered necessary to ensure compliance with them. Any facts discovered by an inspector that appear to indicate that a violation of legal provisions concerning the rights of juveniles or the operation of a juvenile detention facility has occurred should be communicated to the competent authorities for investigation and prosecution.

75. Every juvenile should have the opportunity of making requests or complaints to the director of the detention facility and to his or her authorized representative.

76. Every juvenile should have the right to make a request or complaint, without censorship as to substance, to the central administration, the judicial authority or other proper authorities through approved channels, and to be informed of the response without delay.

77. Efforts should be made to establish an independent office (ombudsman) to receive and investigate complaints made by juveniles deprived of their liberty and to assist in the achievement of equitable settlements.

78. Every juvenile should have the right to request assistance from family members, legal counsellors, humanitarian groups or others where possible, in order to make a complaint. Illiterate juveniles should be provided with assistance should they need to use the services of public or private agencies and organizations which provide legal counsel or which are competent to receive complaints.

N. RETURN TO THE COMMUNITY

79. All juveniles should benefit from arrangements designed to assist them in returning to society, family life, education or employment after release. Procedures, including early release, and special courses should be devised to this end.

80. Competent authorities should provide or ensure services to assist juveniles in re-establishing themselves in society and to lessen prejudice against such juveniles. These services should ensure, to the extent possible, that the juvenile is provided with suitable residence, employment, clothing, and sufficient means to maintain himself or herself upon release in order to facilitate successful reintegration. The representatives of agencies providing such services should be consulted and should have access to juveniles while detained, with a view to assisting them in their return to the community.

V. PERSONNEL

81. Personnel should be qualified and include a sufficient number of specialists such as educators, vocational instructors, counsellors, social workers, psychiatrists and psychologists. These and other specialist staff should normally be employed on a permanent basis. This should not preclude part-time or volunteer workers when the level of support and training they can provide is appropriate and beneficial. Detention facilities should make use of all remedial, educational, moral, spiritual, and other resources and forms of assistance that are appropriate and available in the community, according to the individual needs and problems of detained juveniles.

82. The administration should provide for the careful selection and recruitment of every grade and type of personnel, since the proper management of detention facilities depends on their integrity, humanity, ability and professional capacity to deal with juveniles, as well as personal suitability for the work.

83. To secure the foregoing ends, personnel should be appointed as professional officers with adequate remuneration to attract and retain suitable women and men. The personnel of juvenile detention facilities should be continually encouraged to fulfil their duties and obligations in a humane, committed, professional, fair and efficient manner, to conduct themselves at all times in such a way as to deserve and gain the respect of the juveniles, and to provide juveniles with a positive role model and perspective.

84. The administration should introduce forms of organization and management that facilitate communications between different categories of staff in each detention facility so as to enhance co-operation between the various services engaged in the care of juveniles, as well as between staff and the administration, with a view to ensuring that staff directly in contact with juveniles are able to function in conditions favourable to the efficient fulfilment of their duties.

85. The personnel should receive such training as will enable them to carry out their responsibilities effectively, in particular training in child psychology, child welfare and international standards and norms of human rights and the rights of the child, including the present Rules. The personnel should maintain and improve their knowledge and professional capacity by attending courses of in-service training, to be organized at suitable intervals throughout their career.

86. The director of a facility should be adequately qualified for his or her task, with administrative ability and suitable training and experience, and should carry out his or her duties on a full-time basis.

87. In the performance of their duties, personnel of detention facilities should respect and protect the human dignity and fundamental human rights of all juveniles, in particular, as follows:

(*a*) No member of the detention facility or institutional personnel may inflict, instigate or tolerate any act of torture or any form of harsh, cruel, inhuman or degrading treatment, punishment, correction or discipline under any pretext or circumstance whatsoever;

(*b*) All personnel should rigorously oppose and combat any act of corruption, reporting it without delay to the competent authorities;

(*c*) All personnel should respect the present Rules. Personnel who have reason to believe that a serious violation of the present Rules has occurred or is about to occur should report the matter to their superior authorities or organs vested with reviewing or remedial power;

(*d*) All personnel should ensure the full protection of the physical and mental health of juveniles, including protection from physical, sexual and emotional abuse and exploitation, and should take immediate action to secure medical attention whenever required;

(*e*) All personnel should respect the right of the juvenile to privacy, and in particular should safeguard all confidential matters concerning juveniles or their families learned as a result of their professional capacity;

(*f*) All personnel should seek to minimize any differences between life inside and outside the detention facility which tend to lessen due respect for the dignity of juveniles as human beings.

45/114. Domestic violence

The General Assembly,

Reaffirming its resolution 40/36 of 29 November 1985 on domestic violence and resolution 6 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[77] concerning the fair treatment of women by the criminal justice system,

Taking into account the recommendations made at the Expert Group Meeting on Violence in the Family with Special Emphasis on its Effects on Women, held at Vienna from 8 to 12 December 1986,

Also taking into account the recommendations made on the subject of domestic violence by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace,[88] the resolution on domestic violence against women submitted to the Second Committee of the Conference[89] and the recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000,[90]

Commending the efforts of the United Nations, *inter alia*, through the Convention on the Elimination of All Forms of Discrimination against Women[44] and the Convention on the Rights of the Child,[52] to guarantee the human rights of women and children,

Recognizing the need for further work to be undertaken with respect to violence against all members of the family unit,

Welcoming the report of the Secretary-General on domestic violence,[91]

Recalling that, in its resolution 44/82 of 8 December 1989, it proclaimed 1994 the International Year of the Family,

Bearing in mind the serious lack of information and research on domestic violence globally and the need for exchange of information on ways of dealing with this problem,

Recognizing the concern of Member States about domestic violence as an urgent problem deserving focused attention and concerted action,

Aware that domestic violence is a critical problem that has serious physical and psychological effects on individual family members and jeopardizes the health and survival of the family unit,

Recognizing that domestic violence may take many forms, both physical and psychological,

Convinced of the necessity of improving the situation of the victims of domestic violence,

Recognizing the need to focus on all victims of domestic violence and to consider common policies and specialized approaches regarding women, children, the elderly and those especially vulnerable because of disability,

Noting that exposure to domestic violence, especially during childhood, may produce long-term effects on attitudes and behaviour, such as increased tolerance to violence in society as a whole,

Aware of the fact that many offenders, including those convicted of offences relating to domestic violence, and many victims were themselves abused as children,

Recognizing the fact that domestic violence is often a recurring phenomenon and that an effective early response, as part of a crime prevention policy, may prevent the occurrence of future incidents,

Convinced that the problem of domestic violence is prevalent and affects all segments of society regardless of class, income, culture, gender, age or religion,

Conscious that the complex problem of domestic violence is viewed differently in various cultures of different countries and that at the international level it must be addressed with sensitivity to the cultural context in each country,

1. *Urges* Member States to begin or continue to explore, develop and implement multidisciplinary policies, measures and strategies, within and outside of the criminal justice system, with respect to domestic violence in all its facets, including legal, law enforcement, judicial, societal, educational, psychological, economic, health-related and correctional aspects and, in particular:

(*a*) To take all possible steps to prevent domestic violence;

(*b*) To ensure fair treatment of and effective assistance to the victims of domestic violence;

(*c*) To increase awareness and sensitivity concerning domestic violence, in particular by fostering the education of criminal justice and other professionals in regard to this issue;

(*d*) To provide appropriate treatment for the offenders;

2. *Recommends* that Member States ensure that their systems of criminal justice and the competent bodies for juveniles and their families provide an effective and equitable response to domestic violence and that they take appropriate steps towards achieving this goal;

3. *Urges* Member States to exchange information, experience and research findings between governmental and non-governmental organizations regarding domestic violence, and, in this regard, recommends the use of the United Nations Criminal Justice Information Network and other available means to facilitate the exchange of information concerning domestic violence and the means of curtailing it;

4. *Invites* Member States, the Secretary-General and concerned intergovernmental and non-governmental organizations to include the problem of domestic violence in the preparations for and observance of the International Year of the Family, within the crime prevention and criminal justice area;

5. *Requests* the Secretary-General to convene a working group of experts, within existing or with extrabudgetary resources, to formulate guidelines or a manual for practitioners concerning the problem of domestic violence for consideration at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and its regional preparatory meetings, taking into account the conclusions of the report of the Secretary-General on domestic violence;[91]

6. *Requests* the Committee on Crime Prevention and Control to consider placing the topic of domestic violence on the agenda of the Ninth Congress, as a matter of priority.

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[88] See *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10).

[89] *Ibid.*, annex I.

[90] Economic and Social Council resolution 1990/15, annex.

[91] A/CONF.144/17.

45/115. Instrumental use of children in criminal activities

The General Assembly,

Bearing in mind the Convention on the Rights of the Child[52] and the Declaration of the Rights of the Child,[86] as well as the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,[92]

Bearing in mind also the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),[82] the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)[93] and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[86]

Recalling that, in its resolution 44/82 of 8 December 1989, it proclaimed 1994 the International Year of the Family,

Recalling and reaffirming its resolutions 43/121 of 8 December 1988 on the use of children in the illicit traffic in narcotic drugs and rehabilitation of drug-addicted minors and 40/35 of 29 November 1985 on the development of standards for the prevention of juvenile delinquency, as well as Economic and Social Council resolutions 1989/66 of 24 May 1989 on the Beijing Rules and 1990/33 of 24 May 1990 on the reduction of demand and prevention of drug consumption among young persons in the Near and Middle East,

Recognizing that within the traditional forms of child exploitation the instrumental use of children in criminal activities, especially those aimed at illicit profit making, has become an increasingly grave phenomenon,

Concerned that children are being led by adults into a criminal lifestyle, which hinders their development and denies them opportunities for a healthy and responsible role in society,

Considering that the instrumental use of children by adults in profit-making criminal activities is a grave practice that represents a violation of social norms and a deprivation of the right of children to proper development, education and upbringing and prejudices their future,

Emphasizing that categories of children, such as those who are runaway, vagrant, wayward or "street" children, are targets for exploitation, including seduction into drug trafficking and abuse, prostitution, pornography, theft, burglary, begging and homicide for reward,

1. *Requests* Member States and the Secretary-General to take measures with a view to formulating programmes to deal with the problem of the instrumental use of children in criminal activities and to take effective action by, *inter alia:*

(*a*) Undertaking research and a systematic analysis of the phenomenon;

(*b*) Developing training and awareness-raising activities in order to make law enforcement and other justice personnel, as well as policy makers, sensitive to those situations of social risk that cause children to be manipulated by adults into engaging in crime;

(*c*) Taking measures in combating criminality with a view to ensuring that appropriate sanctions are applied against adults who are the instigators and authors of crimes, rather than against the children involved who themselves are victims of criminality by virtue of their being exposed to crime;

(*d*) Developing comprehensive policies, programmes and effective preventive and remedial measures, in order to eliminate the involvement and exploitation of children by adults in criminal activities;

2. *Requests* the Secretary-General to study the situation in different countries and to report on the implementation of the present resolution to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

3. *Also requests* the Secretary-General to invite the collaboration of the Centre for Human Rights and the Division of Narcotic Drugs of the Secretariat, the United Nations Fund for Drug Abuse Control, the World Health Organization, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization and the United Nations institutes for the prevention of crime and the treatment of offenders and other concerned institutes in the implementation of the present resolution;

4. *Requests* the Committee on Crime Prevention and Control to consider this matter and to keep it under constant review.

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45/116. Model Treaty on Extradition

The General Assembly,

Bearing in mind the Milan Plan of Action,[68] adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and approved by the General Assembly in its resolution 40/32 of 29 November 1985,

Bearing in mind also the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order,[69] principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling resolution 1 of the Seventh Congress,[77] on organized crime, in which Member States were urged, *inter alia,* to increase their activity at the international level in order to combat organized crime, including, as appropriate, entering into bilateral treaties on extradition and mutual legal assistance,

Recalling also resolution 23 of the Seventh Congress,[77] on criminal acts of a terrorist character, in which all States were called upon to take steps to strengthen co-operation, *inter alia,* in the area of extradition,

Calling attention to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,[92]

Acknowledging the valuable contributions of Governments, non-governmental organizations and individual experts, in particular the Government of Australia and the International Association of Penal Law,

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[92] E/CONF.82/15 and Corr.2.

[93] Resolution 45/112, annex.

Gravely concerned by the escalation of crime, both national and transnational,

Convinced that the establishment of bilateral and multilateral arrangements for extradition will greatly contribute to the development of more effective international co-operation for the control of crime,

Conscious of the need to respect human dignity and recalling the rights conferred upon every person involved in criminal proceedings, as embodied in the Universal Declaration of Human Rights[5] and the International Covenant on Civil and Political Rights,[33]

Conscious that in many cases existing bilateral extradition arrangements are outdated and should be replaced by modern arrangements which take into account recent developments in international criminal law,

Recognizing the importance of a model treaty on extradition as an effective way of dealing with the complex aspects and serious consequences of crime, especially in its new forms and dimensions,

1. *Adopts* the Model Treaty on Extradition contained in the annex to the present resolution as a useful framework that could be of assistance to States interested in negotiating and concluding bilateral agreements aimed at improving co-operation in matters of crime prevention and criminal justice;

2. *Invites* Member States, if they have not yet established treaty relations with other States in the area of extradition, or if they wish to revise existing treaty relations, to take into account, whenever doing so, the Model Treaty on Extradition;

3. *Urges* all States to strengthen further international co-operation in criminal justice;

4. *Requests* the Secretary-General to bring the present resolution, with the Model Treaty, to the attention of Member States;

5. *Urges* Member States to inform the Secretary-General periodically of efforts undertaken to establish extradition arrangements;

6. *Requests* the Committee on Crime Prevention and Control to review periodically the progress attained in this field;

7. *Also requests* the Committee on Crime Prevention and Control, where requested, to provide guidance and assistance to Member States in the development of legislation that would enable giving effect to the obligations in such treaties as are to be negotiated on the basis of the Model Treaty on Extradition;

8. *Invites* Member States, on request, to make available to the Secretary-General the provisions of their extradition legislation so that these may be made available to those Member States desiring to enact or further develop legislation in this field.

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ANNEX

Model Treaty on Extradition

The __________ and the __________

Desirous of making more effective the co-operation of the two countries in the control of crime by concluding a treaty on extradition,

Have agreed as follows:

Article 1

OBLIGATION TO EXTRADITE

Each Party agrees to extradite to the other, upon request and subject to the provisions of the present Treaty, any person who is wanted in the requesting State for prosecution for an extraditable offence or for the imposition or enforcement of a sentence in respect of such an offence.[94]

Article 2

EXTRADITABLE OFFENCES

1. For the purposes of the present Treaty, extraditable offences are offences that are punishable under the laws of both Parties by imprisonment or other deprivation of liberty for a maximum period of at least [one/two] year(s), or by a more severe penalty. Where the request for extradition relates to a person who is wanted for the enforcement of a sentence of imprisonment or other deprivation of liberty imposed for such an offence, extradition shall be granted only if a period of at least [four/six] months of such sentence remains to be served.

2. In determining whether an offence is an offence punishable under the laws of both Parties, it shall not matter whether:

(*a*) The laws of the Parties place the acts or omissions constituting the offence within the same category of offence or denominate the offence by the same terminology;

(*b*) Under the laws of the Parties the constituent elements of the offence differ, it being understood that the totality of the acts or omissions as presented by the requesting State shall be taken into account.

3. Where extradition of a person is sought for an offence against a law relating to taxation, customs duties, exchange control or other revenue matters, extradition may not be refused on the ground that the law of the requested State does not impose the same kind of tax or duty or does not contain a tax, customs duty or exchange regulation of the same kind as the law of the requesting State.[95]

4. If the request for extradition includes several separate offences each of which is punishable under the laws of both Parties, but some of which do not fulfil the other conditions set out in paragraph 1 of the present article, the requested Party may grant extradition for the latter offences provided that the person is to be extradited for at least one extraditable offence.

Article 3

MANDATORY GROUNDS FOR REFUSAL

Extradition shall not be granted in any of the following circumstances:

(*a*) If the offence for which extradition is requested is regarded by the requested State as an offence of a political nature;[96]

(*b*) If the requested State has substantial grounds for believing that the request for extradition has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin, political opinions, sex or status, or that that person's position may be prejudiced for any of those reasons;

(*c*) If the offence for which extradition is requested is an offence under military law, which is not also an offence under ordinary criminal law;

(*d*) If there has been a final judgement rendered against the person in the requested State in respect of the offence for which the person's extradition is requested;

(*e*) If the person whose extradition is requested has, under the law of either Party, become immune from prosecution or punishment for any reason, including lapse of time or amnesty;[97]

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[94] Reference to the imposition of a sentence may not be necessary for all countries.

[95] Some countries may wish to omit this paragraph or provide an optional ground for refusal under article 4.

[96] Some countries may wish to add the following text: "Reference to an offence of a political nature shall not include any offence in respect of which the Parties have assumed an obligation, pursuant to any multilateral convention, to take prosecutorial action where they do not extradite, or any other offence that the Parties have agreed is not an offence of a political character for the purposes of extradition."

[97] Some countries may wish to make this an optional ground for refusal under article 4.

(*f*) If the person whose extradition is requested has been or would be subjected in the requesting State to torture or cruel, inhuman or degrading treatment or punishment or if that person has not received or would not receive the minimum guarantees in criminal proceedings, as contained in the International Covenant on Civil and Political Rights, article 14;[33]

(*g*) If the judgement of the requesting State has been rendered *in absentia*, the convicted person has not had sufficient notice of the trial or the opportunity to arrange for his or her defence and he has not had or will not have the opportunity to have the case retried in his or her presence.[98]

Article 4

OPTIONAL GROUNDS FOR REFUSAL

Extradition may be refused in any of the following circumstances:

(*a*) If the person whose extradition is requested is a national of the requested State. Where extradition is refused on this ground, the requested State shall, if the other State so requests, submit the case to its competent authorities with a view to taking appropriate action against the person in respect of the offence for which extradition had been requested;

(*b*) If the competent authorities of the requested State have decided either not to institute or to terminate proceedings against the person for the offence in respect of which extradition is requested;

(*c*) If a prosecution in respect of the offence for which extradition is requested is pending in the requested State against the person whose extradition is requested;

(*d*) If the offence for which extradition is requested carries the death penalty under the law of the requesting State, unless that State gives such assurance as the requested State considers sufficient that the death penalty will not be imposed or, if imposed, will not be carried out;[99]

(*e*) If the offence for which extradition is requested has been committed outside the territory of either Party and the law of the requested State does not provide for jurisdiction over such an offence committed outside its territory in comparable circumstances;

(*f*) If the offence for which extradition is requested is regarded under the law of the requested State as having been committed in whole or in part within that State.[100] Where extradition is refused on this ground, the requested State shall, if the other State so requests, submit the case to its competent authorities with a view to taking appropriate action against the person for the offence for which extradition had been requested;

(*g*) If the person whose extradition is requested has been sentenced or would be liable to be tried or sentenced in the requesting State by an extraordinary or *ad hoc* court or tribunal;

(*h*) If the requested State, while also taking into account the nature of the offence and the interests of the requesting State, considers that, in the circumstances of the case, the extradition of that person would be incompatible with humanitarian considerations in view of age, health or other personal circumstances of that person.

Article 5

CHANNELS OF COMMUNICATION AND REQUIRED DOCUMENTS

1. A request for extradition shall be made in writing. The request, supporting documents and subsequent communications shall be transmitted through the diplomatic channel, directly between the ministries of justice or any other authorities designated by the Parties.

2. A request for extradition shall be accompanied by the following:

(*a*) In all cases,

(i) As accurate a description as possible of the person sought, together with any other information that may help to establish that person's identity, nationality and location;

(ii) The text of the relevant provision of the law creating the offence or, where necessary, a statement of the law relevant to the offence and a statement of the penalty that can be imposed for the offence;

(*b*) If the person is accused of an offence, by a warrant issued by a court or other competent judicial authority for the arrest of the person or a certified copy of that warrant, a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the alleged offence, including an indication of the time and place of its commission;[101]

(*c*) If the person has been convicted of an offence, by a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the offence and by the original or certified copy of the judgement or any other document setting out the conviction and the sentence imposed, the fact that the sentence is enforceable, and the extent to which the sentence remains to be served;

(*d*) If the person has been convicted of an offence in his or her absence, in addition to the documents set out in paragraph 2 (*c*) of the present article, by a statement as to the legal means available to the person to prepare his or her defence or to have the case retried in his or her presence;

(*e*) If the person has been convicted of an offence but no sentence has been imposed, by a statement of the offence for which extradition is requested and a description of the acts or omissions constituting the offence and by a document setting out the conviction and a statement affirming that there is an intention to impose a sentence.

3. The documents submitted in support of a request for extradition shall be accompanied by a translation into the language of the requested State or in another language acceptable to that State.

Article 6

SIMPLIFIED EXTRADITION PROCEDURE

The requested State, if not precluded by its law, may grant extradition after receipt of a request for provisional arrest, provided that the person sought explicitly consents before a competent authority.

Article 7

CERTIFICATION AND AUTHENTICATION

Except as provided by the present Treaty, a request for extradition and the documents in support thereof, as well as documents or other material supplied in response to such a request, shall not require certification or authentication.[102]

Article 8

ADDITIONAL INFORMATION

If the requested State considers that the information provided in support of a request for extradition is not sufficient, it may request that additional information be furnished within such reasonable time as it specifies.

Article 9

PROVISIONAL ARREST

1. In case of urgency the requesting State may apply for the provisional arrest of the person sought pending the presentation of the request for extradition. The application shall be transmitted by means of the facilities of the International Criminal Police Organization, by post or telegraph or by any other means affording a record in writing.

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[98] Some countries may wish to add to article 3 the following ground for refusal: "If there is insufficient proof, according to the evidentiary standards of the requested State, that the person whose extradition is requested is a party to the offence". (See also footnote 101.)

[99] Some countries may wish to apply the same restriction to the imposition of a life, or indeterminate, sentence.

[100] Some countries may wish to make specific reference to a vessel under its flag or an aircraft registered under its laws at the time of the commission of the offence.

[101] Countries that require a judicial assessment of the sufficiency of evidence may wish to add the following clause: "and sufficient proof in a form acceptable under the law of the requested State, establishing, according to the evidentiary standards of that State, that the person is a party to the offence". (See also footnote 98.)

[102] The laws of some countries require authentication before documents transmitted from other countries can be admitted in their courts and, therefore, would require a clause setting out the authentication required.

2. The application shall contain a description of the person sought, a statement that extradition is to be requested, a statement of the existence of one of the documents mentioned in paragraph 2 of article 5 of the present Treaty, authorizing the apprehension of the person, a statement of the punishment that can be or has been imposed for the offence, including the time left to be served and a concise statement of the facts of the case, and a statement of the location, where known, of the person.

3. The requested State shall decide on the application in accordance with its law and communicate its decision to the requesting State without delay.

4. The person arrested upon such an application shall be set at liberty upon the expiration of [40] days from the date of arrest if a request for extradition, supported by the relevant documents specified in paragraph 2 of article 5 of the present Treaty, has not been received. The present paragraph does not preclude the possibility of conditional release of the person prior to the expiration of the [40] days.

5. The release of the person pursuant to paragraph 4 of the present article shall not prevent rearrest and institution of proceedings with a view to extraditing the person sought if the request and supporting documents are subsequently received.

Article 10

DECISION ON THE REQUEST

1. The requested State shall deal with the request for extradition pursuant to procedures provided by its own law, and shall promptly communicate its decision to the requesting State.

2. Reasons shall be given for any complete or partial refusal of the request.

Article 11

SURRENDER OF THE PERSON

1. Upon being informed that extradition has been granted, the Parties shall, without undue delay, arrange for the surrender of the person sought and the requested State shall inform the requesting State of the length of time for which the person sought was detained with a view to surrender.

2. The person shall be removed from the territory of the requested State within such reasonable period as the requested State specifies and, if the person is not removed within that period, the requested State may release the person and may refuse to extradite that person for the same offence.

3. If circumstances beyond its control prevent a Party from surrendering or removing the person to be extradited, it shall notify the other Party. The two Parties shall mutually decide upon a new date of surrender, and the provisions of paragraph 2 of the present article shall apply.

Article 12

POSTPONED OR CONDITIONAL SURRENDER

1. The requested State may, after making its decision on the request for extradition, postpone the surrender of a person sought, in order to proceed against that person, or, if that person has already been convicted, in order to enforce a sentence imposed for an offence other than that for which extradition is sought. In such a case the requested State shall advise the requesting State accordingly.

2. The requested State may, instead of postponing surrender, temporarily surrender the person sought to the requesting State in accordance with conditions to be determined between the Parties.

Article 13

SURRENDER OF PROPERTY

1. To the extent permitted under the law of the requested State and subject to the rights of third parties, which shall be duly respected, all property found in the requested State that has been acquired as a result of the offence or that may be required as evidence shall, if the requesting State so requests, be surrendered if extradition is granted.

2. The said property may, if the requesting State so requests, be surrendered to the requesting State even if the extradition agreed to cannot be carried out.

3. When the said property is liable to seizure or confiscation in the requested State, it may retain it or temporarily hand it over.

4. Where the law of the requested State or the protection of the rights of third parties so require, any property so surrendered shall be returned to the requested State free of charge after the completion of the proceedings, if that State so requests.

Article 14

RULE OF SPECIALITY

1. A person extradited under the present Treaty shall not be proceeded against, sentenced, detained, re-extradited to a third State, or subjected to any other restriction of personal liberty in the territory of the requesting State for any offence committed before surrender other than:

(*a*) An offence for which extradition was granted;

(*b*) Any other offence in respect of which the requested State consents.[103] Consent shall be given if the offence for which it is requested is itself subject to extradition in accordance with the present Treaty.[104]

2. A request for the consent of the requested State under the present article shall be accompanied by the documents mentioned in paragraph 2 of article 5 of the present Treaty and a legal record of any statement made by the extradited person with respect to the offence.

3. Paragraph 1 of the present article shall not apply if the person has had an opportunity to leave the requesting State and has not done so within [30/45] days of final discharge in respect of the offence for which that person was extradited or if the person has voluntarily returned to the territory of the requesting State after leaving it.

Article 15

TRANSIT

1. Where a person is to be extradited to a Party from a third State through the territory of the other Party, the Party to which the person is to be extradited shall request the other Party to permit the transit of that person through its territory. This does not apply where air transport is used and no landing in the territory of the other Party is scheduled.

2. Upon receipt of such a request, which shall contain relevant information, the requested State shall deal with this request pursuant to procedures provided by its own law. The requested State shall grant the request expeditiously unless its essential interests would be prejudiced thereby.[105]

3. The State of transit shall ensure that legal provisions exist that would enable detaining the person in custody during transit.

4. In the event of an unscheduled landing, the Party to be requested to permit transit may, at the request of the escorting officer, hold the person in custody for [48] hours, pending receipt of the transit request to be made in accordance with paragraph 1 of the present article.

Article 16

CONCURRENT REQUESTS

If a Party receives requests for extradition for the same person from both the other Party and a third State it shall, at its discretion, determine to which of those States the person is to be extradited.

Article 17

COSTS

1. The requested State shall meet the cost of any proceedings in its jurisdiction arising out of a request for extradition.

2. The requested State shall also bear the costs incurred in its territory in connection with the seizure and handing over of property, or the arrest and detention of the person whose extradition is sought.[106]

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[103] Some countries may wish to add, as a third case, explicit consent of the person.

[104] Some countries may not wish to assume that obligation and may wish to include other grounds in determining whether or not to grant consent.

[105] Some countries may wish to agree on other grounds for refusal, which may also warrant refusal for extradition, such as those related to the nature of the offence (e.g. political, fiscal, military) or to the status of the person (e.g. their own nationals).

[106] Some countries may wish to consider reimbursement of costs incurred as a result of withdrawal of a request for extradition or provisional arrest.

3. The requesting State shall bear the costs incurred in conveying the person from the territory of the requested State, including transit costs.

Article 18

FINAL PROVISIONS

1. The present Treaty is subject to [ratification, acceptance or approval]. The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.

2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which such notice is received by the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Treaty.

____________________ ____________________

DONE at ________ on ________ in the ________ and ________ languages, [both/all] texts being equally authentic.

45/117. Model Treaty on Mutual Assistance in Criminal Matters

The General Assembly,

Bearing in mind the Milan Plan of Action,[68] adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and approved by the General Assembly in its resolution 40/32 of 29 November 1985,

Bearing in mind also the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order,[69] principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling resolution 1 of the Seventh Congress,[77] on organized crime, in which Member States were urged, *inter alia,* to increase their activity at the international level in order to combat organized crime, including, as appropriate, entering into bilateral treaties on extradition and mutual legal assistance,

Recalling also resolution 23 of the Seventh Congress,[77] on criminal acts of a terrorist character, in which all States were called upon to take steps to strengthen co-operation particularly, *inter alia,* in the area of mutual legal assistance,

Recalling further the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances,[92]

Acknowledging the valuable contributions to the development of a model treaty on mutual assistance in criminal matters that Governments, non-governmental organizations and individual experts have made, in particular the Government of Australia and the International Association of Penal Law,

Gravely concerned about the escalation of crime, both national and transnational,

Convinced that the establishment of bilateral and multilateral arrangements for mutual assistance in criminal matters will greatly contribute to the development of more effective international co-operation for the control of criminality,

Conscious of the need to respect human dignity and recalling the rights conferred upon every person involved in criminal proceedings, as embodied in the Universal Declaration of Human Rights[5] and the International Covenant on Civil and Political Rights,[33]

Recognizing the importance of a model treaty on mutual assistance in criminal matters as an effective way of dealing with the complex aspects and serious consequences of crime, especially in its new forms and dimensions,

1. *Adopts* the Model Treaty on Mutual Assistance in Criminal Matters together with the Optional Protocol thereto, contained in the annex to the present resolution, as a useful framework that could be of assistance to States interested in negotiating and concluding bilateral agreements aimed at improving co-operation in matters of crime prevention and criminal justice;

2. *Invites* Member States, if they have not yet established treaty relations with other States in the matter of mutual assistance in criminal matters, or if they wish to revise existing treaty relations, to take into account, whenever doing so, the Model Treaty;

3. *Urges* all States to strengthen further international co-operation and mutual assistance in criminal justice;

4. *Requests* the Secretary-General to bring the present resolution, with the Model Treaty and the Optional Protocol thereto, to the attention of Governments;

5. *Urges* Member States to inform the Secretary-General periodically of efforts undertaken to establish mutual assistance arrangements in criminal matters;

6. *Requests* the Committee on Crime Prevention and Control to review periodically the progress attained in this field;

7. *Also requests* the Committee on Crime Prevention and Control, where requested, to provide guidance and assistance to Member States in the development of legislation which would enable giving effect to the obligations which will be contained in such treaties as are to be negotiated on the basis of the Model Treaty;

8. *Invites* Member States, on request, to make available to the Secretary-General the provisions of their legislation on mutual assistance in criminal matters so that these may be made available to those Member States desiring to enact or further develop legislation in this field.

68th plenary meeting
14 December 1990

ANNEX

Model Treaty on Mutual Assistance in Criminal Matters

The ________ *and the* ________

Desirous of extending to each other the widest measure of co-operation to combat crime,

Have agreed as follows:

Article 1

Scope of application[107]

1. The Parties shall, in accordance with the present Treaty, afford to each other the widest possible measure of mutual assistance in investigations or court proceedings in respect of offences the punishment of which, at the time of the request for assistance, falls within the jurisdiction of the judicial authorities of the requesting State.

2. Mutual assistance to be afforded in accordance with the present Treaty may include:

(*a*) Taking evidence or statements from persons;

(*b*) Assisting in the availability of detained persons or others to give evidence or assist in investigations;

(*c*) Effecting service of judicial documents;

(*d*) Executing searches and seizures;

(*e*) Examining objects and sites;

(*f*) Providing information and evidentiary items;

(*g*) Providing originals or certified copies of relevant documents and records, including bank, financial, corporate or business records.

3. The present Treaty does not apply to:

(*a*) The arrest or detention of any person with a view to the extradition of that person;

(*b*) The enforcement in the requested State of criminal judgements imposed in the requesting State except to the extent permitted by the law of the requested State and the Optional Protocol to the present Treaty;

(*c*) The transfer of persons in custody to serve sentences;

(*d*) The transfer of proceedings in criminal matters.

Article 2[108]

Other arrangements

Unless the Parties decide otherwise, the present Treaty shall not affect obligations subsisting between them whether pursuant to other treaties or arrangements or otherwise.

Article 3

Designation of competent authorities

Each Party shall designate and indicate to the other Party an authority or authorities by or through which requests for the purpose of the present Treaty should be made or received.

Article 4[109]

Refusal of assistance

1. Assistance may be refused if:[110]

(*a*) The requested State is of the opinion that the request, if granted, would prejudice its sovereignty, security, public order *(ordre public)* or other essential public interests;

(*b*) The offence is regarded by the requested State as being of a political nature;

(*c*) There are substantial grounds for believing that the request for assistance has been made for the purpose of prosecuting a person on account of that person's race, sex, religion, nationality, ethnic origin or political opinions or that that person's position may be prejudiced for any of those reasons;

(*d*) The request relates to an offence that is subject to investigation or prosecution in the requested State or the prosecution of which in the requesting State would be incompatible with the requested State's law on double jeopardy *(ne bis in idem)*;

(*e*) The assistance requested requires the requested State to carry out compulsory measures that would be inconsistent with its law and practice had the offence been the subject of investigation or prosecution under its own jurisdiction;

(*f*) The act is an offence under military law, which is not also an offence under ordinary criminal law.

2. Assistance shall not be refused solely on the ground of secrecy of banks and similar financial institutions.

3. The requested State may postpone the execution of the request if its immediate execution would interfere with an ongoing investigation or prosecution in the requested State.

4. Before refusing a request or postponing its execution, the requested State shall consider whether assistance may be granted subject to certain conditions. If the requesting State accepts assistance subject to these conditions, it shall comply with them.

5. Reasons shall be given for any refusal or postponement of mutual assistance.

Article 5

Contents of requests

1. Requests for assistance shall include:[111]

(*a*) The name of the requesting office and the competent authority conducting the investigation or court proceedings to which the request relates;

(*b*) The purpose of the request and a brief description of the assistance sought;

(*c*) A description of the facts alleged to constitute the offence and a statement or text of the relevant laws, except in cases of a request for service of documents;

(*d*) The name and address of the person to be served, where necessary;

(*e*) The reasons for and details of any particular procedure or requirement that the requesting State wishes to be followed, including a statement as to whether sworn or affirmed evidence or statements are required;

(*f*) Specification of any time-limit within which compliance with the request is desired;

(*g*) Such other information as is necessary for the proper execution of the request.

2. Requests, supporting documents and other communications made pursuant to the present Treaty shall be accompanied by a translation into the language of the requested State or another language acceptable to that State.

3. If the requested State considers that the information contained in the request is not sufficient to enable the request to be dealt with, it may request additional information.

Article 6

Execution of requests[112]

Subject to article 19 of the present Treaty, requests for assistance shall be carried out promptly, in the manner provided for by the law and practice of the requested State. To the extent consistent with its law and practice, the requested State shall carry out the request in the manner specified by the requesting State.

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[107] Additions to the scope of assistance to be provided, such as provisions covering information on sentences passed on nationals of the Parties, can be considered bilaterally. Obviously, such assistance must be compatible with the law of the requested State.

[108] Article 2 recognizes the continuing role of informal assistance between law enforcement agencies and associated agencies in different countries.

[109] Article 4 provides an illustrative list of the grounds for refusal.

[110] Some countries may wish to delete or modify some of the provisions or include other grounds for refusal, such as those related to the nature of the offence (e.g. fiscal), the nature of the applicable penalty (e.g. capital punishment), requirements of shared concepts (e.g. double jurisdiction, no lapse of time) or specific kinds of assistance (e.g. interception of telecommunications, performing deoxyribonucleic-acid (DNA) tests). In particular, some countries may wish to include as grounds for refusal the fact that the act on which the request is based would not be an offence if committed in the territory of the requested State (dual criminality).

[111] This list can be reduced or expanded in bilateral negotiations.

[112] More detailed provisions may be included concerning the provision of information on the time and place of execution of the request and requiring the requested State to inform promptly the requesting State in cases where significant delay is likely to occur or where a decision is made not to comply with the request and the reasons for refusal.

Article 7

Return of material to the requested State

Any property, as well as original records or documents, handed over to the requesting State under the present Treaty shall be returned to the requested State as soon as possible unless the latter waives its right of return thereof.

Article 8[113]

Limitation on use

The requesting State shall not, without the consent of the requested State, use or transfer information or evidence provided by the requested State for investigations or proceedings other than those stated in the request. However, in cases where the charge is altered, the material provided may be used in so far as the offence, as charged, is an offence in respect of which mutual assistance could be provided under the present Treaty.

Article 9

Protection of confidentiality[114]

Upon request:

(*a*) The requested State shall use its best endeavours to keep confidential the request for assistance, its contents and its supporting documents as well as the fact of granting of such assistance. If the request cannot be executed without breaching confidentiality, the requested State shall so inform the requesting State, which shall then determine whether the request should nevertheless be executed;

(*b*) The requesting State shall keep confidential evidence and information provided by the requested State, except to the extent that the evidence and information is needed for the investigation and proceedings described in the request.

Article 10

Service of documents[115]

1. The requested State shall effect service of documents that are transmitted to it for this purpose by the requesting State.

2. A request to effect service of summonses shall be made to a requested State not less than [. . .][116] days before the date on which the appearance of a person is required. In urgent cases, the requested State may waive the time requirement.

Article 11[117]

Obtaining of evidence

1. The requested State shall, in conformity with its law and upon request, take the sworn or affirmed testimony, or otherwise obtain statements of persons or require them to produce items of evidence for transmission to the requesting State.

2. Upon the request of the requesting State, the parties to the relevant proceedings in the requesting State, their legal representatives and representatives of the requesting State may, subject to the laws and procedures of the requested State, be present at the proceedings.

Article 12

Right or obligation to decline to give evidence

1. A person who is required to give evidence in the requested or requesting State may decline to give evidence where either:

(*a*) The law of the requested State permits or requires that person to decline to give evidence in similar circumstances in proceedings originating in the requested State; or

(*b*) The law of the requesting State permits or requires that person to decline to give evidence in similar circumstances in proceedings originating in the requesting State.

2. If a person claims that there is a right or obligation to decline to give evidence under the law of the other State, the State where that person is present shall, with respect thereto, rely on a certificate of the competent authority of the other State as evidence of the existence or non-existence of that right or obligation.

Article 13

Availability of persons in custody to give evidence or to assist in investigations[118]

1. Upon the request of the requesting State, and if the requested State agrees and its law so permits, a person in custody in the latter State may, subject to his or her consent, be temporarily transferred to the requesting State to give evidence or to assist in the investigations.

2. While the person transferred is required to be held in custody under the law of the requested State, the requesting State shall hold that person in custody and shall return that person in custody to the requested State at the conclusion of the matter in relation to which transfer was sought or at such earlier time as the person's presence is no longer required.

3. Where the requested State advises the requesting State that the transferred person is no longer required to be held in custody, that person shall be set at liberty and be treated as a person referred to in article 14 of the present Treaty.

Article 14

Availability of other persons to give evidence or assist in investigations[119]

1. The requesting State may request the assistance of the requested State in inviting a person:

(*a*) To appear in proceedings in relation to a criminal matter in the requesting State unless that person is the person charged; or

(*b*) To assist in the investigations in relation to a criminal matter in the requesting State.

2. The requested State shall invite the person to appear as a witness or expert in proceedings or to assist in the investigations. Where appropriate, the requested State shall satisfy itself that satisfactory arrangements have been made for the person's safety.

3. The request or the summons shall indicate the approximate allowances and the travel and subsistence expenses payable by the requesting State.

4. Upon request, the requested State may grant the person an advance, which shall be refunded by the requesting State.

Article 15[120]

Safe conduct

1. Subject to paragraph 2 of the present article, where a person is in the requesting State pursuant to a request made under article 13 or 14 of the present Treaty:

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[113] Some countries may wish to omit article 8 or modify it, e.g. restrict it to fiscal offences.

[114] Provisions relating to confidentiality will be important for many countries but may present problems to others. The nature of the provisions in individual treaties can be determined in bilateral negotiations.

[115] More detailed provisions relating to the service of documents, such as writs and judicial verdicts, can be determined bilaterally. Provisions may be desired for the service of documents by mail or other manner and for the forwarding of proof of service of the documents. For example, proof of service could be given by means of a receipt dated and signed by the person served or by means of a declaration made by the requested State that service has been effected, with an indication of the form and date of such service. One or other of these documents could be sent promptly to the requesting State. The requested State could, if the requesting State so requests, state whether service has been effected in accordance with the law of the requested State. If service could not be effected, the reasons could be communicated promptly by the requested State to the requesting State.

[116] Depending on travel distance and related arrangements.

[117] Article 11 is concerned with the obtaining of evidence in judicial proceedings, the taking of a person's statement by a less formal process and the production of items of evidence.

[118] In bilateral negotiations, provisions may also be introduced to deal with such matters as the modalities and time of restitution of evidence and the setting of a time-limit for the presence of the person in custody in the requesting State.

[119] Provisions relating to the payment of the expenses of the person providing assistance are contained in paragraph 3 of article 14. Additional details, such as provision for the payment of costs in advance, can be the subject of bilateral negotiations.

[120] The provisions in article 15 may be required as the only way of securing important evidence in proceedings involving serious national and transnational crime. However, as they may raise difficulties for some countries, the precise content of the article, including any additions or modifications, can be determined in bilateral negotiations.

(*a*) That person shall not be detained, prosecuted, punished or subjected to any other restrictions of personal liberty in the requesting State in respect of any acts or omissions or convictions that preceded the person's departure from the requested State;

(*b*) That person shall not, without that person's consent, be required to give evidence in any proceeding or to assist in any investigation other than the proceeding or investigation to which the request relates.

2. Paragraph 1 of the present article shall cease to apply if that person, being free to leave, has not left the requesting State within a period of [15] consecutive days, or any longer period otherwise agreed on by the Parties, after that person has been officially told or notified that his or her presence is no longer required or, having left, has voluntarily returned.

3. A person who does not consent to a request pursuant to article 13 or accept an invitation pursuant to article 14 shall not, by reason thereof, be liable to any penalty or be subjected to any coercive measure, notwithstanding any contrary statement in the request or summons.

Article 16

PROVISION OF PUBLICLY AVAILABLE DOCUMENTS AND OTHER RECORDS[121]

1. The requested State shall provide copies of documents and records in so far as they are open to public access as part of a public register or otherwise, or in so far as they are available for purchase or inspection by the public.

2. The requested State may provide copies of any other document or record under the same conditions as such document or record may be provided to its own law enforcement and judicial authorities.

Article 17

SEARCH AND SEIZURE[122]

The requested State shall, in so far as its law permits, carry out requests for search and seizure and delivery of any material to the requesting State for evidentiary purposes, provided that the rights of *bona fide* third parties are protected.

Article 18

CERTIFICATION AND AUTHENTICATION[123]

A request for assistance and the documents in support thereof, as well as documents or other material supplied in response to such a request, shall not require certification or authentication.

Article 19

COSTS[124]

The ordinary costs of executing a request shall be borne by the requested State, unless otherwise determined by the Parties. If expenses of a substantial or extraordinary nature are or will be required to execute the request, the Parties shall consult in advance to determine the terms and conditions under which the request shall be executed as well as the manner in which the costs shall be borne.

Article 20

CONSULTATION

The Parties shall consult promptly, at the request of either, concerning the interpretation, the application or the carrying out of the present Treaty either generally or in relation to a particular case.

Article 21

FINAL PROVISIONS

1. The present Treaty is subject to [ratification, acceptance or approval]. The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.

2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which it is received by the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Treaty.

____________________ ____________________

DONE at __________ on __________ in the __________ and __________ languages, [both/all] texts being equally authentic.

Optional Protocol to the Model Treaty on Mutual Assistance in Criminal Matters concerning the proceeds of crime[125]

1. In the present Protocol "proceeds of crime" means any property suspected, or found by a court, to be property directly or indirectly derived or realized as a result of the commission of an offence or to represent the value of property and other benefits derived from the commission of an offence.

2. The requested State shall, upon request, endeavour to ascertain whether any proceeds of the alleged crime are located within its jurisdiction and shall notify the requesting State of the results of its inquiries. In making the request, the requesting State shall notify the requested State of the basis of its belief that such proceeds may be located within its jurisdiction.

3. In pursuance of a request made under paragraph 2 of the present Protocol, the requested State shall endeavour to trace assets, investigate financial dealings, and obtain other information or evidence that may help to secure the recovery of proceeds of crime.

4. Where, pursuant to paragraph 2 of the present Protocol, suspected proceeds of crime are found, the requested State shall upon request take such measures as are permitted by its law to prevent any dealing in, transfer or disposal of, those suspected proceeds of crime, pending a final determination in respect of those proceeds by a court of the requesting State.

5. The requested State shall, to the extent permitted by its law, give effect to or permit enforcement of a final order forfeiting or confiscating the proceeds of crime made by a court of the requesting State

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[121] The question may arise as to whether this should be discretionary. This provision can be the subject of bilateral negotiations.

[122] Bilateral arrangements may cover the provision of information on the results of search and seizure and the observance of conditions imposed in relation to the delivery of seized property.

[123] The laws of some countries require authentication before documents transmitted from other countries can be admitted in their courts, and, therefore, would require a clause setting out the authentication required.

[124] More detailed provisions may be included. For example, the requested State would meet the ordinary cost of fulfilling the request for assistance except that the requesting State would bear (*a*) the exceptional or extraordinary expenses required to fulfil the request, where required by the requested State and subject to previous consultations; (*b*) the expenses associated with conveying any person to or from the territory of the requested State, and any fees, allowances or expenses payable to that person while in the requesting State pursuant to a request under article 11, 13 or 14; (*c*) the expenses associated with conveying custodial or escorting officers; and (*d*) the expenses involved in obtaining reports of experts.

[125] The present Optional Protocol is included on the ground that questions of forfeiture are conceptually different from, although closely related to, matters generally accepted as falling within the description of mutual assistance. However, States may wish to include these provisions in the text because of their importance in dealing with organized crime. Moreover, assistance in forfeiting the proceeds of crime has now emerged as a new instrument in international co-operation. Provisions similar to those outlined in the present Protocol appear in many bilateral assistance treaties. Further details can be provided in bilateral arrangements. One matter that could be considered is the need for other provisions dealing with issues related to bank secrecy. An addition could, for example, be made to paragraph 4 of the present Protocol providing that the requested State shall, upon request, take such measures as are permitted by its law to require compliance with monitoring orders by financial institutions. Provision could be made for the sharing of the proceeds of crime between the Contracting States or for consideration of the disposal of the proceeds on a case-by-case basis.

or take other appropriate action to secure the proceeds following a request by the requesting State.[126]

6. The Parties shall ensure that the rights of *bona fide* third parties shall be respected in the application of the present Protocol.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Protocol.

____________________ ____________________

DONE at __________ on __________ in the __________ and __________ languages, [both/all] texts being equally authentic.

45/118. Model Treaty on the Transfer of Proceedings in Criminal Matters

The General Assembly,

Recalling the Milan Plan of Action,[68] adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and approved by the General Assembly in its resolution 40/32 of 29 November 1985,

Recalling also the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order,[69] principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling further resolution 12 of the Seventh Congress,[77] on the transfer of proceedings in criminal matters, in which the Committee on Crime Prevention and Control was requested to study the question and to consider the possibility of formulating a model agreement in this area,

Acknowledging the valuable contributions made by Governments, non-governmental organizations and individual experts to the drafting of a model treaty on the transfer of proceedings in criminal matters, in particular the International Expert Meeting on the United Nations and Law Enforcement, held under the auspices of the United Nations at Baden, Austria, from 16 to 19 November 1987, the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic V, "United Nations norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard setting",[127] and the regional preparatory meetings for the Eighth Congress,

Convinced that the establishment of bilateral and multilateral arrangements for the transfer of proceedings in criminal matters will greatly contribute to the development of more effective international co-operation aimed at controlling crime,

Conscious of the need to respect human dignity and recalling the rights conferred upon every person involved in criminal proceedings, as embodied in the Universal Declaration of Human Rights[5] and the International Covenant on Civil and Political Rights,[33]

Recognizing the importance of a model treaty on the transfer of proceedings in criminal matters as an effective way of dealing with the complex aspects, consequences and modern evolution of transnational crime,

1. *Adopts* the Model Treaty on the Transfer of Proceedings in Criminal Matters, contained in the annex to the present resolution, as a useful framework that could be of assistance to States interested in negotiating and concluding bilateral or multilateral treaties aimed at improving co-operation in matters of crime prevention and criminal justice;

2. *Invites* Member States, if they have not yet established treaty relations with other States in regard to transfer of proceedings in criminal matters, or if they wish to revise existing treaty relations, to take the Model Treaty into account whenever doing so;

3. *Urges* Member States to strengthen international co-operation in criminal justice;

4. *Also urges* Member States to inform the Secretary-General periodically of efforts undertaken to establish arrangements for the transfer of proceedings in criminal matters;

5. *Requests* the Committee on Crime Prevention and Control to conduct periodic reviews of the progress attained in this field;

6. *Requests* the Secretary-General to assist Member States, at their request, in the development of treaties on the transfer of proceedings in criminal matters and to report regularly thereon to the Committee.

68th plenary meeting
14 December 1990

ANNEX

Model Treaty on the Transfer of Proceedings in Criminal Matters

The __________ and the __________

Desirous of further strengthening international co-operation and mutual assistance in criminal justice, on the basis of the principles of respect for national sovereignty and jurisdiction and of non-interference in the internal affairs of States,

Believing that such co-operation should further the ends of justice, the social resettlement of offenders and the interests of the victims of crime,

Bearing in mind that the transfer of proceedings in criminal matters contributes to effective administration of justice and to reducing conflicts of competence,

Aware that the transfer of proceedings in criminal matters can help to avoid pre-trial detention and thus reduce the prison population,

Convinced, therefore, that the transfer of proceedings in criminal matters should be promoted,

Have agreed as follows:

Article 1

SCOPE OF APPLICATION

1. When a person is suspected of having committed an offence under the law of a State which is a Contracting Party, that State may, if the interests of the proper administration of justice so require, request another State which is a Contracting Party to take proceedings in respect of this offence.

2. For the purpose of applying the present Treaty, the Contracting Parties shall take the necessary legislative measures to ensure that a request of the requesting State to take proceedings shall allow the requested State to exercise the necessary jurisdiction.

Article 2

CHANNELS OF COMMUNICATIONS

A request to take proceedings shall be made in writing. The request, supporting documents and subsequent communication shall be transmitted through diplomatic channels, directly between the Ministries of Justice or any other authorities designated by the Parties.

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[126] The Parties might consider widening the scope of the present Protocol by the inclusion of references to victims' restitution and the recovery of fines imposed as a sentence in a criminal prosecution.

[127] See A/CONF.144/IPM.5 and Corr.1.

Article 3

REQUIRED DOCUMENTS

1. The request to take proceedings shall contain or be accompanied by the following information:

(*a*) The authority presenting the request;

(*b*) A description of the act for which transfer of proceedings is being requested, including the specific time and place of the offence;

(*c*) A statement on the results of investigations which substantiate the suspicion of an offence;

(*d*) The legal provisions of the requesting State on the basis of which the act is considered to be an offence;

(*e*) A reasonably exact statement on the identity, nationality and residence of the suspected person.

2. The documents submitted in support of a request to take proceedings shall be accompanied by a translation into the language of the requested State or into another language acceptable to that State.

Article 4

CERTIFICATION AND AUTHENTICATION

Subject to national law and unless the Parties decide otherwise, a request to take proceedings and the documents in support thereof, as well as the documents and other material supplied in response to such a request, shall not require certification or authentication.[128]

Article 5

DECISION ON THE REQUEST

The competent authorities of the requested State shall examine what action to take on the request to take proceedings in order to comply, as fully as possible, with the request under their own law, and shall promptly communicate their decision to the requesting State.

Article 6

DUAL CRIMINALITY

A request to take proceedings can be complied with only if the act on which the request is based would be an offence if committed in the territory of the requested State.

Article 7

GROUNDS FOR REFUSAL

If the requested State refuses acceptance of a request for transfer of proceedings, it shall communicate the reasons for refusal to the requesting State. Acceptance may be refused if:[129]

(*a*) The suspected person is not a national of or ordinary resident in the requested State;

(*b*) The act is an offence under military law, which is not also an offence under ordinary criminal law;

(*c*) The offence is in connection with taxes, duties, customs or exchange;

(*d*) The offence is regarded by the requested State as being of a political nature.

Article 8

THE POSITION OF THE SUSPECTED PERSON

1. The suspected person may express to either State his or her interest in the transfer of the proceedings. Similarly, such interest may be expressed by the legal representative or close relatives of the suspected person.

2. Before a request for transfer of proceedings is made, the requesting State shall, if practicable, allow the suspected person to present his or her views on the alleged offence and the intended transfer, unless that person has absconded or otherwise obstructed the course of justice.

Article 9

THE RIGHTS OF THE VICTIM

The requesting and requested States shall ensure in the transfer of proceedings that the rights of the victim of the offence, in particular his or her right to restitution or compensation, shall not be affected as a result of the transfer. If a settlement of the claim of the victim has not been reached before the transfer, the requested State shall permit the representation of the claim in the transferred proceedings, if its law provides for such a possibility. In the event of the death of the victim, these provisions shall apply to his or her dependants accordingly.

Article 10

EFFECTS OF THE TRANSFER OF PROCEEDINGS ON THE REQUESTING STATE *(ne bis in idem)*

Upon acceptance by the requested State of the request to take proceedings against the suspected person, the requesting State shall provisionally discontinue prosecution, except necessary investigation, including judicial assistance to the requested State, until the requested State informs the requesting State that the case has been finally disposed of. From that date on, the requesting State shall definitely refrain from further prosecution of the same offence.

Article 11

EFFECTS OF THE TRANSFER OF PROCEEDINGS ON THE REQUESTED STATE

1. The proceedings transferred upon agreement shall be governed by the law of the requested State. When charging the suspected person under its law, the requested State shall make the necessary adjustment with respect to particular elements in the legal description of the offence. Where the competence of the requested State is based on the provision set forth in paragraph 2 of article 1 of the present Treaty, the sanction pronounced in that State shall not be more severe than that provided by the law of the requesting State.

2. As far as compatible with the law of the requested State, any act with a view to proceedings or procedural requirements performed in the requesting State in accordance with its law shall have the same validity in the requested State as if the act had been performed in or by the authorities of that State.

3. The requested State shall inform the requesting State of the decision taken as a result of the proceedings. To this end a copy of any final decision shall be transmitted to the requesting State upon request.

Article 12

PROVISIONAL MEASURES

When the requesting State announces its intention to transmit a request for transfer of proceedings, the requested State may, upon a specific request made for this purpose by the requesting State, apply all such provisional measures, including provisional detention and seizure, as could be applied under its own law if the offence in respect of which transfer of proceedings is requested had been committed in its territory.

Article 13

THE PLURALITY OF CRIMINAL PROCEEDINGS

When criminal proceedings are pending in two or more States against the same suspected person in respect of the same offence, the States concerned shall conduct consultations to decide which of them alone should continue the proceedings. An agreement reached thereupon shall have the consequences of a request for transfer of proceedings.

Article 14

COSTS

Any costs incurred by a Contracting Party because of a transfer of proceedings shall not be refunded, unless otherwise agreed by both the requesting and requested States.

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[128] The laws of some countries require authentication before documents transmitted from other countries can be admitted in their courts and, therefore, would require a clause setting out the authentication required.

[129] When negotiating on the basis of the present Model Treaty, States may wish to add other grounds for refusal or conditions to this list, relating, for example, to the nature or gravity of the offence, to the protection of fundamental human rights, or to considerations of public order.

Article 15

FINAL PROVISIONS

1. The present Treaty is subject to [ratification, acceptance or approval]. The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.

2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which it is received by the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Treaty.

DONE at __________ on __________ in the __________ and __________ languages, [both/all] texts being equally authentic.

45/119. Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released

The General Assembly,

Bearing in mind the Milan Plan of Action,[68] adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and approved by the General Assembly in its resolution 40/32 of 29 November 1985,

Bearing in mind also the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order,[69] principle 37 of which stipulates that the United Nations should prepare model instruments suitable for use as international and regional conventions and as guides for national implementing legislation,

Recalling resolution 13 of the Seventh Congress,[77] on the transfer of supervision of foreign offenders who have been conditionally sentenced or conditionally released, in which the Committee on Crime Prevention and Control was requested to study this subject and to consider the possibility of formulating a model treaty in this area,

Acknowledging the valuable contributions made by Governments, non-governmental organizations and individual experts to the drafting of a model treaty on the transfer of supervision of offenders conditionally sentenced or conditionally released, in particular the International Expert Meeting on the United Nations and Law Enforcement, held under the auspices of the United Nations at Baden, Austria, from 16 to 19 November 1987, the Interregional Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic V, "United Nations norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard setting",[127] and the regional preparatory meetings for the Eighth Congress,

Convinced that the establishment of bilateral and multilateral arrangements for transfer of supervision of offenders conditionally sentenced or conditionally released will greatly contribute to the development of more effective international co-operation in penal matters,

Conscious of the need to respect human dignity and recalling the rights conferred upon every person involved in criminal proceedings, as embodied in the Universal Declaration of Human Rights[5] and the International Covenant on Civil and Political Rights,[33]

1. *Adopts* the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released, contained in the annex to the present resolution, as a useful framework that could be of assistance to States interested in negotiating and concluding bilateral or multilateral treaties aimed at improving co-operation in matters of crime prevention and criminal justice;

2. *Invites* Member States, if they have not yet established treaty relations with other States in the area of the transfer of supervision of offenders conditionally sentenced or conditionally released, or if they wish to revise existing treaty relations, to take into account the Model Treaty whenever doing so;

3. *Urges* all Member States to strengthen international co-operation in criminal justice;

4. *Also urges* Member States to inform the Secretary-General periodically of efforts undertaken to establish arrangements on the transfer of supervision of offenders conditionally sentenced or conditionally released;

5. *Requests* the Committee on Crime Prevention and Control to conduct periodic reviews of the progress attained in this field;

6. *Requests* the Secretary-General to assist Member States, at their request, in the development of treaties on the transfer of supervision of offenders conditionally sentenced or conditionally released and to report regularly thereon to the Committee.

68th plenary meeting
14 December 1990

ANNEX

Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released

The __________ and the __________

Desirous of further strengthening international co-operation and mutual assistance in criminal justice, on the basis of the principles of respect for national sovereignty and jurisdiction and of non-interference in the internal affairs of States,

Believing that such co-operation should further the ends of justice, the social resettlement of sentenced persons and the interests of the victims of crime,

Bearing in mind that the transfer of supervision of offenders conditionally sentenced or conditionally released can contribute to an increase in the use of alternatives to imprisonment,

Aware that supervision in the home country of the offender rather than enforcement of the sentence in a country where the offender has no roots also contributes to an earlier and more effective reintegration into society,

Convinced, therefore, that the social rehabilitation of offenders and the increased application of alternatives to imprisonment would be promoted by facilitating the supervision of conditionally sentenced or conditionally released offenders in their State of ordinary residence,

Have agreed as follows:

Article 1

SCOPE OF APPLICATION

1. The present Treaty shall be applicable, if, according to a final court decision, a person has been found guilty of an offence and has been:

(*a*) Placed on probation without sentence having been pronounced;

(*b*) Given a suspended sentence involving deprivation of liberty;

(*c*) Given a sentence, the enforcement of which has been modified (parole) or conditionally suspended, in whole or in part, either at the time of the sentence or subsequently.

2. The State where the decision was taken (sentencing State) may request another State (administering State) to take responsibility for applying the terms of the decision (transfer of supervision).

Article 2

CHANNELS OF COMMUNICATIONS

A request for the transfer of supervision shall be made in writing. The request, supporting documents and subsequent communication shall be transmitted through diplomatic channels, directly between the Ministries of Justice or any other authorities designated by the Parties.

Article 3

REQUIRED DOCUMENTS

1. A request for the transfer of supervision shall contain all necessary information on the identity, nationality and residence of the sentenced person. The request shall be accompanied by the original or a copy of any court decision referred to in article 1 of the present Treaty and a certificate that this decision is final.

2. The documents submitted in support of a request for transfer of supervision shall be accompanied by a translation into the language of the requested State or into another language acceptable to that State.

Article 4

CERTIFICATION AND AUTHENTICATION

Subject to national law and unless the Parties decide otherwise, a request for transfer of supervision and the documents in support thereof, as well as the documents and other material supplied in response to such a request, shall not require certification or authentication.[130]

Article 5

DECISION ON THE REQUEST

The competent authorities of the administering State shall examine what action to take on the request for supervision in order to comply, as fully as possible, with the request under their own law, and shall promptly communicate their decision to the sentencing State.

Article 6

DUAL CRIMINALITY[131]

A request for transfer of supervision can be complied with only if the act on which the request is based would constitute an offence if committed in the territory of the administering State.

Article 7

GROUNDS FOR REFUSAL[132]

If the administering State refuses acceptance of a request for transfer of supervision, it shall communicate the reasons for refusal to the sentencing State. Acceptance may be refused where:

(*a*) The sentenced person is not an ordinary resident in the administering State;

(*b*) The act is an offence under military law, which is not also an offence under ordinary criminal law;

(*c*) The offence is in connection with taxes, duties, customs or exchange;

(*d*) The offence is regarded by the administering State as being of a political nature;

(*e*) The administering State, under its own law, can no longer carry out the supervision or enforce the sanction in the event of revocation because of lapse of time.

Article 8

THE POSITION OF THE SENTENCED PERSON

Whether sentenced or standing trial, a person may express to the sentencing State his or her interest in a transfer of supervision and his or her willingness to fulfil any conditions to be imposed. Similarly, such interest may be expressed by his or her legal representative or close relatives. Where appropriate, the Contracting States shall inform the offender or his or her close relatives of the possibilities under the present Treaty.

Article 9

THE RIGHTS OF THE VICTIM

The sentencing State and the administering State shall ensure in the transfer of supervision that the rights of the victims of the offence, in particular his or her rights to restitution or compensation, shall not be affected as a result of the transfer. In the event of the death of the victim, this provision shall apply to his or her dependants accordingly.

Article 10

THE EFFECTS OF THE TRANSFER OF SUPERVISION ON THE SENTENCING STATE

The acceptance by the administering State of the responsibility for applying the terms of the decision rendered in the sentencing State shall extinguish the competence of the latter State to enforce the sentence.

Article 11

THE EFFECTS OF THE TRANSFER OF SUPERVISION ON THE ADMINISTERING STATE

1. The supervision transferred upon agreement and the subsequent procedure shall be carried out in accordance with the law of the administering State. That State alone shall have the right of revocation. That State may, to the extent necessary, adapt to its own law the conditions or measures prescribed, provided that such conditions or measures are, in terms of their nature or duration, not more severe than those pronounced in the sentencing State.

2. If the administering State revokes the conditional sentence or conditional release, it shall enforce the sentence in accordance with its own law without, however, going beyond the limits imposed by the sentencing State.

Article 12

REVIEW, PARDON AND AMNESTY

1. The sentencing State alone shall have the right to decide on any application to reopen the case.

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[130] The laws of some countries require authentication before documents transmitted from other countries can be admitted in their courts and, therefore, would require a clause setting out the authentication required.

[131] When negotiating on the basis of the present Model Treaty, States may wish to waive the requirement of dual criminality.

[132] When negotiating on the basis of the present Model Treaty, States may wish to add other grounds for refusal or conditions to this list, relating, for example, to the nature or gravity of the offence, to the protection of fundamental human rights, or to considerations of public order.

2. Each Party may grant pardon, amnesty or commutation of the sentence in accordance with the provisions of its Constitution or other laws.

Article 13

INFORMATION

1. The Contracting Parties shall keep each other informed, in so far as it is necessary, of all circumstances likely to affect measures of supervision or enforcement in the administering State. To this end they shall transmit to each other copies of any relevant decisions in this respect.

2. After expiration of the period of supervision, the administering State shall provide to the sentencing State, at its request, a final report concerning the supervised person's conduct and compliance with the measures imposed.

Article 14

COSTS

Supervision and enforcement costs incurred in the administering State shall not be refunded, unless otherwise agreed by both the sentencing State and the administering State.

Article 15

FINAL PROVISIONS

1. The present Treaty is subject to [ratification, acceptance or approval]. The instruments of [ratification, acceptance or approval] shall be exchanged as soon as possible.

2. The present Treaty shall enter into force on the thirtieth day after the day on which the instruments of [ratification, acceptance or approval] are exchanged.

3. The present Treaty shall apply to requests made after its entry into force, even if the relevant acts or omissions occurred prior to that date.

4. Either Contracting Party may denounce the present Treaty by giving notice in writing to the other Party. Such denunciation shall take effect six months following the date on which it is received by the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed the present Treaty.

____________________ ____________________

DONE at __________ on __________ in the __________ and __________ languages, [both/all] texts being equally authentic.

45/120. Crime prevention and criminal justice: expression of appreciation to the Government and people of Cuba on the occasion of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Taking into account the significance and the results of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana from 27 August to 7 September 1990,

Expresses its deep appreciation to the Government and people of Cuba for acting as host to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

68th plenary meeting
14 December 1990

45/121. Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Deeply concerned about the steady rise in crime in many parts of the world, particularly its dangerous new forms and transnational dimensions,

Conscious of the negative effects of crime on the quest for sustained development, a secure environment and a better quality of life,

Recognizing the importance to all countries of more effective crime prevention and criminal justice in furthering socio-economic development, political stability and a propitious climate for national growth and world peace,

Recalling its resolution 40/32 of 29 November 1985, in which it approved the Milan Plan of Action[68] as a useful and effective means of strengthening international co-operation in the field of crime prevention and criminal justice and invited Governments to be guided by it in the formulation of appropriate legislation and policy directives and to make continuous efforts to implement the principles contained in the Caracas Declaration[67] and other relevant resolutions and recommendations, in accordance with the economic, social, cultural and political circumstances of each country,

Recalling also its resolution 44/72 of 8 December 1989, in which it stressed the importance of the programme of work of the United Nations in crime prevention and criminal justice and the necessity of strengthening it in order to make it more responsive to the needs and expectations of Member States, whose stability and social peace, as well as law enforcement and judicial structures, might be undermined by the growing level and impact of criminality, and requested the Secretary-General to ensure that the level of human and financial resources of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat is sufficient for it to carry out its multiple tasks mandated by United Nations policy-making bodies, including the promotion of collaborative action by Governments on problems of mutual concern, evaluation research, the collection and dissemination of information, the preparation of reports and studies and technical co-operation activities, and to ensure that the specialized nature of the programme of work of the Branch is fully reflected in its management and staffing,

Recalling further its resolution 42/59 of 30 November 1987, in which it invited the Committee on Crime Prevention and Control to accord priority to preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to ensure adequate follow-up to the review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice undertaken by the Economic and Social Council and its resolution 43/99 of 8 December 1988, in which it stressed the necessity for Member States to continue to make concerted and systematic efforts to strengthen international co-operation in crime prevention and criminal justice,

Emphasizing the responsibility assumed by the United Nations in crime prevention under General Assembly resolution 415 (V) of 1 December 1950, which was affirmed by the Economic and Social Council in its resolutions 731 F (XXVIII) of 30 July 1959 and 830 D (XXXII) of 2 August 1961, and in the promotion and strengthening of international co-operation in this field in accordance with Assembly resolutions 3021 (XXVII) of 18 December 1972, 32/59 and 32/60 of 8 December 1977, 35/171 of 15 December 1980, 36/21 of 9 November 1981 and 40/32,

Recalling Economic and Social Council resolutions 1986/10 and 1986/11 of 21 May 1986, 1987/49 and 1987/53 of 28 May 1987, 1988/44 of 27 May 1988 and 1989/68 and 1989/69 of 24 May 1989,

Taking note, in particular, of Economic and Social Council resolution 1990/27 of 24 May 1990, in which the Council invited the General Assembly, at its forty-fifth session, to take appropriate measures to ensure the timely implementation and proper follow-up of the recommendations of the Eighth Congress,

Acknowledging that the United Nations congresses, as major intergovernmental forums, have influenced national policies and practices by facilitating the exchange of views and experiences, mobilizing public opinion and recommending policy options at the national, regional and international levels, thus making a significant contribution to progress and the promotion of international co-operation in this field,

Mindful of the main objectives of the United Nations in the field of crime prevention and criminal justice, which include the promotion of a more effective administration of justice, the strengthening of international co-operation in the fight against international crime, the observance of human rights and the pursuance of the highest standards of fairness, efficiency, humanity and professional conduct,

Reaffirming the validity of the guidelines for setting international standards in the field of human rights, contained in its resolution 41/120 of 4 December 1986, and the need to give due consideration in this work to the established international legal framework,

Emphasizing the importance of continuing to provide Governments with the maximum opportunity to submit written comments and to participate in the formulation of international instruments and model treaties,

Bearing in mind the theme of the Eighth Congress, "International co-operation in crime prevention and criminal justice for the twenty-first century", and the importance of preserving peace, freedom and justice as essential conditions for development and international co-operation,

Noting the fact that the Eighth Congress, in pursuance of that theme, paid particular attention to the question of crime prevention and criminal justice in the context of development and the realities and perspectives of international co-operation in this field; underlined the need for granting this question higher priority at the United Nations system level; recommended major instruments to facilitate inter-State co-operation against crime, giving particular attention to the linkage between illicit drug trafficking, organized crime and terrorist criminal activities, the efficiency and effectiveness of national systems of criminal justice, the computerization of criminal justice and the non-institutional treatment of offenders, domestic violence and the prevention of juvenile delinquency; and identified other priority areas for practical action, such as environmental protection, in accordance with the requests of the General Assembly,[133]

Noting also that the programme of work of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat has expanded in recent years,

Aware that crime prevention and criminal justice must be considered not only in the context of public systems, social and cultural values and social evolution, but also in the context of consistent economic development, and alarmed by the growing threat of organized crime, whose destabilizing and corrupting influence on basic economic and political institutions poses a challenge that demands more effective international co-operation,

Considering that the formulation and implementation of rules and guidelines in the field of crime prevention and criminal justice provide a basis for the introduction of improvements in criminal justice at the national and regional levels,

Reaffirming its determination to improve regional and international co-operation to foster further progress in this area, including implementation of the recommendations of the Eighth Congress, according to an orderly timetable reflecting priorities, taking into account the results of the meeting of the intergovernmental working group and the ministerial meeting to be held in 1991,[134]

Having considered the report of the Eighth Congress, the report of the Secretary-General on the implementation of the resolutions and recommendations of the Seventh Congress[135] and the report of the Secretary-General on the implementation of the conclusions of the Eighth Congress,[136] submitted in pursuance of resolution 44/72,

1. *Expresses its satisfaction* with the successful results achieved by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the thorough preparations for the Congress, overseen by the Committee on Crime Prevention and Control as the preparatory body, which contributed to its productive outcome, and by the regional and interregional preparatory meetings convened in co-operation with the regional commissions, the United Nations institutes for the prevention of crime and the treatment of offenders and interested Governments;

2. *Takes note* of the report of the Eighth Congress,[133] as well as the report of the Secretary-General on the implementation of the recommendations of the Seventh Congress and his report on the conclusions of the Eighth Congress;

3. *Welcomes* the instruments and resolutions adopted by the Eighth Congress[137] and invites Governments to be guided by them in the formulation of appropriate legislation and policy directives and to make efforts to implement the principles contained in them and in the relevant instruments and resolutions approved by previous congresses and other relevant reso-

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[133] See A/CONF.144/28.

[134] See resolution 45/108.

[135] A/45/324.

[136] A/45/629.

[137] See A/CONF.144/28, chap. I.

lutions, in accordance with the economic, social, legal, cultural and political circumstances of each country;

4. *Endorses* the decision of the Eighth Congress that priority attention should be given to specific practical measures to combat international crime over the forthcoming five-year period,[137] bearing in mind the criteria set out in the relevant regulations and rules governing programme planning;

5. *Invites* Member States to monitor systematically the steps being taken to ensure co-ordination of efforts in the planning and execution of effective and humane measures to reduce the social costs of crime and its negative effects on the development process, as well as to continue to explore new avenues for international co-operation in this field;

6. *Invites* the Committee on Crime Prevention and Control at its twelfth session to examine the implications of the resolutions and recommendations of the Eighth Congress for the programmes of the United Nations system and to make specific recommendations on the implementation of the resolutions and recommendations in its report to the Economic and Social Council at its first regular session of 1992, in accordance with the priorities to be set by the ministerial meeting to be held in 1991;

7. *Requests* the Economic and Social Council to examine, at its first regular session of 1992, the report of the Committee on Crime Prevention and Control referred to in paragraph 6 above, in order to provide, within the United Nations system, overall policy guidance in crime prevention and criminal justice, and to undertake periodically the review, monitoring and appraisal of the resolutions and recommendations of the Eighth Congress, and the priority accorded to them;

8. *Emphasizes* the urgent need to be responsive to the calls of the Eighth Congress for strengthening the operational aspects of the United Nations programme of work in crime prevention and criminal justice, with a view to assisting interested countries in developing self-reliant and adequate law enforcement and judicial structures;

9. *Urges* all entities of the United Nations system, including the regional commissions and the institutes for crime prevention and the treatment of offenders, and the relevant non-governmental organizations having consultative status with the Economic and Social Council to become actively involved in the implementation of the resolutions and recommendations of the Eighth Congress;

10. *Also urges* the Department of Technical Co-operation for Development of the Secretariat, the United Nations Development Programme and other pertinent bodies to give full support to projects of technical assistance, in particular to developing countries, in the field of crime prevention and criminal justice and to encourage technical co-operation among developing countries;

11. *Requests* the Secretary-General to use his best endeavours to translate into action, as appropriate, the resolutions recommended by the Eighth Congress for adoption by the General Assembly and to provide adequate follow-up of the other resolutions unanimously adopted by the Congress, and to do so in accordance with the priorities indicated by the Congress;

12. *Invites* the Secretary-General to use his best endeavours to review the resources required to enable the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat to discharge its responsibilities in accordance with the mandates and tasks recommended by the Eighth Congress;

13. *Requests* the Secretary-General to consider including in the proposed programme budget for the biennium 1992-1993 programme and resources proposals to assist with the long-term solution of the problems posed by the implementation of existing mandates;

14. *Also requests* the Secretary-General to circulate the report of the Eighth Congress to Member States and intergovernmental and non-governmental organizations in order to ensure that it is disseminated as widely as possible and to conduct appropriate public information activities in this field;

15. *Further requests* the Secretary-General to submit to the General Assembly, at its forty-sixth session, a report on the measures taken to implement the present resolution;

16. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Crime prevention and criminal justice".

68th plenary meeting
14 December 1990

45/122. Criminal justice education

The General Assembly,

Aware that one of the main objectives of the United Nations in the field of crime prevention and criminal justice is the continued promotion of a more effective administration of justice, the strengthening of international co-operation in the fight against transnational crime, the observance of human rights and the pursuance of the highest standards of fairness, efficiency, humanity and professional conduct,

Recalling in this context its resolution 44/72 of 8 December 1989 in which it expressed the hope that the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders would make a major contribution to the solution of problems related to crime prevention and criminal justice,

Noting the views expressed at previous congresses concerning the need for collaboration between criminal justice agencies and educational authorities in the development of crime prevention programmes,

Recognizing that existing approaches to crime prevention and control have not always proved effective,

Calling attention to its resolution 42/104 of 7 December 1987, by which it proclaimed the year 1990 as International Literacy Year, the aim of which is the eradication of illiteracy in the world, and its resolution 44/127 of 15 December 1989,

Bearing in mind its resolution 44/61 of 8 December 1989 on the development of public information activities in the field of human rights,

Convinced that the development of public information activities in the field of criminal justice should include the creation and implementation of mechanisms to enable Member States, intergovernmental and non-governmental organizations and professional criminal justice associations to be familiar with ongoing criminal justice and crime prevention activities in the work of the United Nations,

Mindful that the Eighth Congress, in its resolution 5 of 5 September 1990 on the consolidation of the role of national correspondents in the crime prevention and criminal justice field, resolution 14 of 6 September 1990 on social aspects of crime prevention and criminal justice in the context of development, resolution 19 of 7 September 1990 on management of criminal justice and development of sentencing policies, and resolution 4 of 5 September 1990 on international co-operation and mutual assistance through training programmes and exchange of expertise,[138] as well as in its resolution on the computerization of criminal justice, recommended to the General Assembly for adoption,[139] made several recommendations for strengthening education activities in the criminal justice field, which included better dissemination of information on those activities among interested Member States and other parties,

Mindful also that education has a potential role to play in ameliorating the conditions that give rise to crime and to the consequences of criminality,

Determined that education should play an important role in crime prevention and criminal justice through such means as education for the general awareness of the public, education of the young for crime prevention, education aimed at the total personal development of prisoners and other offenders and continuing education of the criminal justice personnel,

Aware that comprehensive approaches are required for a lasting and systemic impact on criminal justice education with a view to attaining higher standards of fairness, efficiency and professional conduct of criminal justice personnel,

1. *Endorses* the initiatives made by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in the above-mentioned resolutions, which aim at strengthening national and international efforts in criminal justice education, including the enhancement of the role of criminal justice education in the activities of Member States, intergovernmental and non-governmental organizations and national correspondents in the field of crime prevention and control;

2. *Invites* Member States to review existing education practices in respect of both offenders and personnel in crime prevention and criminal justice;

3. *Also invites* Member States to involve educational experts, as appropriate, in crime prevention and criminal justice and to encourage related educational research and publications;

4. *Further invites* Member States to advise criminal justice staff periodically through their professional associations, journals or other publications and records, on United Nations developments relevant to their area of work;

5. *Invites* all Member States to include in their educational curricula materials relevant to a comprehensive understanding of criminal justice and crime prevention issues, and encourages all those responsible for criminal law and criminal justice reforms, training in law and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate criminal justice and crime prevention components in their programmes;

6. *Also invites* Member States to encourage collaboration between criminal justice agencies and educational authorities in the development of crime prevention programmes and to encourage educational authorities to give increased attention to ethical and socialization programmes in their curricula and to other relevant measures referred to in the inventory of comprehensive crime prevention measures submitted to the Eighth Congress;[140]

7. *Requests* the Secretary-General to explore the possibility of increased use of education in crime prevention and criminal justice with a view to preparing a study on the relationship between crime, education and development and of presenting the first results in a progress report to be submitted to the Committee on Crime Prevention and Control at its twelfth session;

8. *Also requests* the Secretary-General, through the Department of Public Information of the Secretariat in co-operation with other offices and national correspondents in the field of crime prevention and control, to continue to develop and maintain a list of criminal justice journals and relevant public media programmes, with a view to the dissemination of information on United Nations activities in the field of crime prevention and criminal justice for educational purposes;

9. *Further requests* the Secretary-General to bring to the attention of relevant national criminal justice and educational authorities the United Nations standards, norms and other selected recommendations with a view to ensuring their more widespread and systematic dissemination in relevant training and educational programmes;

10. *Requests* the Secretary-General to develop technical co-operation programmes, including interregional advisory services, with a view to enhancing the role of education in the operation of crime prevention and criminal justice, taking into account the interdisciplinary nature of such co-operation programmes;

11. *Recommends* that the Secretary-General should establish, subject to the availability of extrabudgetary funds, electronic data bases within the United Nations Criminal Justice Information Network, which should include information on the network of national correspondents in the field of crime prevention and criminal justice and information on educational and training programmes in the criminal justice field, with a view to disseminating information to the international criminal justice community more effectively;

12. *Invites* the relevant intergovernmental and non-governmental organizations to contribute substantively, logistically and financially to the development of educational programmes within the United Nations crime prevention and criminal justice programme and to the establishing of the above-mentioned data bases;

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[138] *Ibid.*, chap. I, sect. B.

[139] See resolution 45/109.

[140] See A/CONF.144/9.

13. *Urges* the United Nations institutes for the prevention of crime and the treatment of offenders to include educational issues in their research and training programmes;

14. *Requests* the Committee on Crime Prevention and Control, as the preparatory body for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to keep the matter under review;

15. *Recommends* that the Committee on Crime Prevention and Control and preparatory meetings to the Ninth Congress further consider the role of education with a view to facilitating educational approaches in crime prevention and criminal justice.

68th plenary meeting
14 December 1990

45/123. International co-operation in combating organized crime

The General Assembly,

Recalling the responsibility assumed by the United Nations in the field of crime prevention and criminal justice,

Concerned that organized crime has increased in many parts of the world and has become more transnational in character, leading, in particular, to the spread of such negative phenomena as violence, terrorism, corruption and illegal trade in narcotic drugs and, in general, undermining the development process, impairing the quality of life and threatening human rights and fundamental freedoms,

Recalling Economic and Social Council resolution 1989/70 of 24 May 1989 and General Assembly resolution 44/71 of 8 December 1989,

Taking note of resolution 15 entitled "Organized crime" and resolution 24 entitled "Prevention and control of organized crime", adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana from 27 August to 7 September 1990,[141]

Recalling its resolution S-17/2 of 23 February 1990,

Convinced of the need to strengthen international co-operation in combating organized crime,

Noting with appreciation that the Eighth Congress explored the possibilities and ways of strengthening further international co-operation in combating organized crime and adopted the Guidelines for the prevention and control of organized crime, as contained in the annex to its resolution 24, as well as model treaties relating to it,[142]

1. *Urges* Member States to give favourable consideration to the implementation of the Guidelines for the prevention and control of organized crime at both national and international levels;

2. *Invites* Member States to make available to the Secretary-General, on request, the provisions of their legislation relating to money laundering, the tracing, monitoring and forfeiture of the proceeds of crime and the monitoring of large-scale cash transactions and other measures so that they may be made available to Member States desiring to enact or further develop legislation in these fields;

3. *Requests* the Committee on Crime Prevention and Control to consider ways of strengthening international co-operation in combating organized crime, taking due account of the opinions of Governments, international organizations and non-governmental organizations, as well as opinions expressed at and decisions taken by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and to submit its views, through the Economic and Social Council, to the General Assembly at its forty-seventh session;

4. *Requests* the Secretary-General to include activities of the United Nations crime prevention and criminal justice programme, related to organized crime, in the United Nations System-Wide Action Plan on Drug Abuse Control;[143]

5. *Calls upon* Member States, international organizations and interested non-governmental organizations to co-operate with the United Nations in organizing the International Seminar on Organized Crime Control, to be held in Moscow in October 1991.

68th plenary meeting
14 December 1990

45/124. Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling its resolution 34/180 of 18 December 1979, by which it adopted the Convention on the Elimination of All Forms of Discrimination against Women,

Recalling also its previous resolutions on the Convention and taking note of Economic and Social Council resolution 1990/17 of 24 May 1990,

Taking note of resolution 34/6 of 8 March 1990 of the Commission on the Status of Women,[144]

Taking note also of the decisions taken on 6 February 1990 at the Fifth Meeting of States Parties to the Convention,[145]

Aware of the important contribution that the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women[14] can make to eliminating all forms of discrimination against women and to achieving legal and *de facto* equality between women and men,

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[141] See A/CONF.144/28, chap. I, sect. C.

[142] *Ibid.*, chap. IV, sect. C.1.

[143] See E/1990/39 and Corr.1 and 2 and Add.1.

[144] See *Official Records of the Economic and Social Council, 1990, Supplement No. 5* (E/1990/25), chap. I, sect. C.

[145] See CEDAW/SP/17.

Noting the emphasis placed by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, on the ratification of and accession to the Convention,

Having considered the report of the Committee on the Elimination of Discrimination against Women on its ninth session,[146]

Noting that the Committee agreed, in examining reports, to take due account of the different cultural and socio-economic systems of States parties to the Convention,

Recalling that, in article 17, paragraph 9, of the Convention, the Secretary-General is required to provide the necessary staff and facilities for the effective performance of the functions of the Committee,

Recalling also its resolution 44/73 of 8 December 1989 in which, *inter alia,* it strongly supported the view of the Committee that the Secretary-General should accord higher priority to strengthening support for the Committee,

Welcoming the general recommendations of the Committee contained in its reports on its seventh,[147] eighth[148] and ninth sessions,[149]

1. *Welcomes* the ratification of or accession to the Convention on the Elimination of All Forms of Discrimination against Women by an increasing number of Member States;

2. *Urges* all States that have not yet ratified or acceded to the Convention to do so as soon as possible;

3. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the Convention;

4. *Takes note* of the report of the Secretary-General[150] and requests him to submit annually to the General Assembly a report on the status of the Convention;

5. *Also takes note* of the report of the Committee on the Elimination of Discrimination against Women on its ninth session;

6. *Invites* States parties to the Convention to make all possible efforts to submit their initial as well as their second and subsequent periodic reports on the implementation of the Convention, in accordance with article 18 thereof and with the guidelines provided by the Committee, and to co-operate fully with the Committee in the presentation of their reports;

7. *Welcomes* the efforts made by the Committee to rationalize its procedures and expedite the consideration of periodic reports and to develop procedures and guidelines for the consideration of second and subsequent periodic reports, and strongly encourages the Committee to continue those efforts;

8. *Welcomes also,* in accordance with the Committee's general recommendation No. 11,[148] the initiatives taken to provide regional training courses on the preparation and drafting of reports of States parties for government officials and training and information seminars for States considering acceding to the Convention, and urges the relevant organs and organizations of the United Nations to support such initiatives;

9. *Recognizes* the special relevance of the periodic reports of States parties to the Convention to the efforts of the Commission on the Status of Women to review and appraise the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women in those countries;

10. *Requests* the Secretary-General to continue his efforts to provide secretariat staff, including legal staff expert in human rights treaty implementation, and technical resources for the effective performance by the Committee of its functions;

11. *Strongly supports* the view of the Committee that the Secretary-General should accord higher priority within existing resources to strengthening technical and substantive support for the Committee, in particular to assist in preparatory research;

12. *Requests* the Secretary-General to undertake a comprehensive review of the resources available and necessary to ensure adequate support to the Committee and to the effective implementation of all other aspects of the programme on the advancement of women, and to report thereon to the General Assembly at its forty-sixth session;

13. *Welcomes* the establishment of a pre-session working group of the Committee to consider second and subsequent periodic reports, which should greatly expedite the work of the Committee, and urges that this practice be continued, within the regular budget allocation;

14. *Requests* the Secretary-General to continue to provide for, facilitate and encourage, within existing resources, the dissemination of information relating to the Committee, its recommendations, the Convention and the concept of legal literacy, taking into account the Committee's own recommendations to that end;

15. *Recommends* that sessions of the Committee should be scheduled, whenever possible, to allow for the timely transmission of the results of its work to the Commission on the Status of Women, for information, in the same year;

16. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution, and to transmit the report to the Commission on the Status of Women at its thirty-sixth session.

68th plenary meeting
14 December 1990

45/125. Improvement of the status of women in the Secretariat

The General Assembly,

Recalling Articles 1, 8, 97 and 101 of the Charter of the United Nations,

Recalling also its resolution 2715 (XXV) of 15 December 1970, in which it first addressed the question of the employment of women in the Professional category, and all relevant resolutions that have continued to focus on this area since then,

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[146] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38* and corrigendum (A/45/38 and Corr.1).

[147] *Ibid., Forty-third Session, Supplement No. 38* (A/43/38), sect. V.

[148] *Ibid., Forty-fourth Session, Supplement No. 38* (A/44/38), sect. V.

[149] *Ibid., Forty-fifth Session, Supplement No. 38* and corrigendum (A/45/38 and Corr.1), sect. IV.

[150] A/45/426.

Recalling further the report of the Secretary-General of 8 November 1985 on the improvement of the status of women in the Secretariat,[151] which was submitted pursuant to General Assembly resolution 39/245 of 18 December 1984,

Recalling the relevant paragraphs of the Nairobi Forward-looking Strategies for the Advancement of Women,[14] in particular paragraphs 315, 356 and 358 thereof,

Recalling also the recommendations for action contained in the fourth report, of 30 June 1988, of the Steering Committee for the Improvement of the Status of Women in the Secretariat,[152] and realizing that they have not all been implemented,

Noting that the Steering Committee has resumed its work and will soon be submitting a report with recommendations to the Secretary-General,

Noting also that the Office of Human Resources Management of the Secretariat has implemented some special emergency measures pursuant to fulfilling the mandate found in paragraph 27 of the report of the Secretary-General of 8 November 1985 and subsequent resolutions on this topic,

Noting with appreciation that the report of the Secretary-General of 1 October 1990 on the improvement of the status of women in the Secretariat[153] was submitted also under the item entitled "Forward-looking strategies for the advancement of women to the year 2000",

Noting with concern that, although there has been a slight increase in the percentage of women in the Secretariat, women still constitute less than 30 per cent of the Professional staff and that there has been a decrease in the number of women at the level of Assistant Secretary-General and above in the past twelve months,

Taking note of Economic and Social Council resolution 1990/3 of 24 May 1990,

1. *Urges* the Secretary-General to continue, in accordance with the Charter of the United Nations, all possible efforts to increase the number of women employed throughout the United Nations system, particularly in senior policy-level and decision-making posts, and particularly from the developing countries in view of the small proportion of women from these countries in such posts, in order to achieve an overall participation rate of 30 per cent by the end of 1990 and 35 per cent by 1995, with due regard to equitable geographical distribution, in accordance with the report of the Secretary-General of 8 November 1985,[151] all relevant subsequent resolutions and the proposed medium-term plan for the period 1992-1997;[154]

2. *Requests* Member States to continue to support the efforts of the United Nations, the specialized agencies and the regional commissions to increase the percentage of women in the Professional category and above by, *inter alia*, nominating more women candidates, especially for senior policy-level and decision-making posts, by encouraging women to apply for vacant posts and by creating national rosters of women candidates to be shared with the Secretariat, the governing bodies of the specialized agencies and the regional commissions;

3. *Requests* the Secretary-General to continue to address the unfulfilled points of the action programme for the improvement of the status of women in the Secretariat,[155] which aims at the creation of a framework for the advancement of women as an integrated component of the United Nations policy-making process, and by so doing to fulfil the goal of the action programme to secure and maintain the attitudinal changes and the management commitment required for the full participation of women in the work of the Secretariat under conditions of equality;

4. *Also requests* the Secretary-General to include in his report to be submitted to the General Assembly and the Commission on the Status of Women an action programme for the advancement of women in the Secretariat for the period 1991-1995, further to the request made in paragraph 5 of its resolution 44/75 of 8 December 1989, which should also include a comprehensive evaluation and analysis by the Secretariat of the main obstacles to the improvement of the status of women in the Secretariat and should propose solutions to overcome those obstacles;

5. *Further requests* the Secretary-General, within existing resources, to ensure that adequate machinery, with the authority of enforcement and the responsibility of accountability, and including a senior-level official devoted to implementation of the action programme, is maintained and, to the extent possible, strengthened during the course of the programme for the period 1991-1995;

6. *Requests* the Secretary-General to ensure that his annual report on progress achieved and future strategies to implement action programmes on the status of women in the Secretariat and the relevant mandates adopted by the General Assembly and the Economic and Social Council and the recommendations of the Steering Committee for the Improvement of the Status of Women in the Secretariat are submitted to the Commission on the Status of Women at its thirty-fifth session and to the General Assembly at its forty-sixth session for consideration under the item entitled "Forward-looking strategies for the advancement of women to the year 2000".

68th plenary meeting
14 December 1990

45/126. Women and literacy

The General Assembly,

Recalling that in the Universal Declaration of Human Rights[5] and the International Covenant on Economic, Social and Cultural Rights[33] the inalienable right of every individual to education is recognized,

Recalling also the special references to and recommendations on women's needs in relation to literacy, education and training contained in paragraphs 163 to

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[151] A/C.5/40/30.

[152] See A/C.5/43/14, annex I.

[153] A/45/548.

[154] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 6* (A/45/6/Rev.1).

[155] A/C.5/40/30, sect. III.B.

173 of the Nairobi Forward-looking Strategies for the Advancement of Women,[14]

Taking note of Commission on the Status of Women resolution 34/8 of 8 March 1990 on women and literacy,[144]

Taking note also of Economic and Social Council resolution 1990/15 of 24 May 1990, the annex to which contains the recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, in which, *inter alia,* it is recommended that Governments should make special efforts to remove all gender-related differences in adult literacy by the year 2000 and that programmes should be established to ensure that parents and teachers provide equal educational opportunities for girls and boys,

Noting that in the Convention on the Elimination of All Forms of Discrimination against Women,[44] States parties, *inter alia,* committed themselves to taking measures to ensure equal access to education for women and men,

Recalling its resolutions 42/104 of 7 December 1987, by which it proclaimed 1990 as International Literacy Year, and 44/127 of 15 December 1989, in which it called for continuing international efforts to promote literacy,

Recalling also the World Declaration on Education for All adopted by the World Conference on Education for All,[156] in which it is recognized that literacy programmes are indispensable to the basic learning needs of all and that the most urgent priority is to ensure access to, and improve the quality of, education for girls and women, as well as to remove every obstacle that hampers their active participation,

Mindful of Economic and Social Council resolution 1990/12 of 24 May 1990, in which it recommended that a world conference on women be held in 1995,

Taking note of the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,[53] adopted by the World Summit for Children, held in New York on 29 and 30 September 1990, in which, *inter alia,* the adoption of measures was called for that emphasized the need to improve the current disparities between girls and boys in access to basic education and the need to reduce adult illiteracy by half, with an emphasis on female illiteracy, before the year 2000,

Mindful of the fact that the eradication of illiteracy, including illiteracy among women, is one of the paramount objectives of the International Development Strategy for the Fourth United Nations Development Decade,[157]

Recognizing that in many countries there is a significant gap between enrolment and retention levels of girls and boys in basic education programmes, just as there is a gap in literacy between adult men and women, which denies women of all ages the opportunity to participate fully in national development activities,

Bearing in mind that increased literacy levels have already been directly associated with reduced population growth in many parts of the world and that the promotion of women's literacy is an important element in ensuring the success of national objectives relating to population,

1. *Notes with appreciation* the commendable work done in connection with International Literacy Year by the specialized agencies and other organizations of the United Nations system, including the United Nations Educational, Scientific and Cultural Organization, with its Plan of Action for the Eradication of Illiteracy by the Year 2000, the United Nations Children's Fund and the United Nations Development Programme;

2. *Commends* those Governments that have launched national programmes aimed at meeting the objectives of the Year;

3. *Notes with satisfaction* the active involvement of many non-governmental organizations in the Year and, in particular, the establishment of the International Task Force on Literacy;

4. *Encourages* the Secretary-General and Member States, as well as intergovernmental and non-governmental organizations, to continue to support efforts to increase literacy by:

(*a*) Improving the educational opportunities for females of all ages, particularly children;

(*b*) Providing basic education to all without discrimination based on gender and in settings that are accessible and culturally acceptable;

(*c*) Encouraging the development of gender-specific indicators and measurements for assessing the impact of educational and training efforts in both domestic and international projects and programmes and for assessing the inclusion and participation of women of all ages in those efforts;

5. *Encourages* Member States to attempt to disaggregate by gender data in such areas as school enrolment, completion, participation and repetition rates;

6. *Urges* Member States to eliminate *de jure* and *de facto* barriers to schooling for women of all ages;

7. *Calls upon* Member States to give special attention and emphasis to the guidelines and recommendations developed for the Year when implementing measures to eliminate illiteracy;

8. *Encourages* the Secretary-General, in collaboration with relevant United Nations organizations, including the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund and the United Nations Development Programme, to assist Member States in strengthening strategies to target resources to women of all ages, especially those most disadvantaged, and thereby work towards the elimination of illiteracy of women of all ages;

9. *Calls upon* Member States to accelerate the participation of women in literacy programmes, particularly in areas pertaining to the improvement of their socio-economic condition, including legal literacy and income-generating and skill-building activities;

10. *Encourages* Member States to increase the number of tutors and trainers with the necessary qualifications, to maximize their efforts to reach women and to

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[156] *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990,* Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix 1.

[157] See resolution 45/199, annex.

increase the participation of non-governmental and private volunteer organizations, particularly women's organizations, in the implementation and management of literacy programmes and in policy and programme development;

11. *Requests* the Secretary-General to prepare for the world conference on women to be held in 1995 a report on the progress to increase female literacy made by Governments, intergovernmental and non-governmental organizations and the specialized agencies, regional commissions and other organizations of the United Nations system;

12. *Requests* the Committee on the Elimination of Discrimination against Women to pay particular attention to measures taken by Governments to increase female literacy, particularly by ensuring equal access to basic education for girls and boys;

13. *Requests* the Secretary-General in his next update to the *World Survey on the Role of Women in Development*[158] to examine specifically the relationship between the literacy of women and their economic and social advancement.

68th plenary meeting
14 December 1990

45/127. Interregional consultation on women in public life

The General Assembly,

Recalling its resolution 44/77 of 8 December 1989, in which it endorsed the convening in 1991 of an interregional consultation on women in public life,

Concerned that the level of participation by women in decision-making in almost all countries is exceedingly low,

Stressing the importance of the full participation of women in the political process at all levels, especially in top decision-making, as a means of achieving the objectives set in the Nairobi Forward-looking Strategies for the Advancement of Women,[14]

Considering that the consultation would be an important event towards the preparations for the world conference on women to be held in 1995,

1. *Decides* that the consultation on women in public life should be an intergovernmental meeting;

2. *Urges* all Governments to participate actively in the consultation and for that purpose to designate as participants women who currently hold leadership positions in government and national institutions and organizations or are considered to have the potential for high public office;

3. *Invites* Governments and national institutions and organizations to provide extrabudgetary resources to facilitate preparations for the consultation, especially for the participation of least developed countries and for the dissemination of information about the consultation in the mass media;

4. *Requests* the Secretary-General to take steps to ensure the necessary servicing and support of the consultation and to transmit its conclusions in a report to the General Assembly at its forty-sixth session.

68th plenary meeting
14 December 1990

45/128. United Nations Development Fund for Women

The General Assembly,

Recalling its resolution 39/125 of 14 December 1984, in which it decided to establish the United Nations Development Fund for Women as a separate and identifiable entity in autonomous association with the United Nations Development Programme,

Reaffirming that the Fund has an important role in contributing to an increase in opportunities and options for women in developing countries,

Emphasizing the position of the Fund as a specialized resource base for development co-operation, serving as a bridge between the needs and aspirations of women and the resources, programmes and policies for their economic development,

Taking note of the section of the report of the Administrator of the United Nations Development Programme concerning the Consultative Committee on the United Nations Development Fund for Women,[159]

1. *Commends* the United Nations Development Fund for Women for its efforts to increase the visibility of women and to ensure that issues relating to women are on the agenda of the mainstream development efforts of Governments, United Nations agencies, non-governmental organizations and the private sector;

2. *Notes with satisfaction* the achievements of the Fund in giving its work a high profile and in increasing and broadening its financial resource base, with, *inter alia,* the support of the national committees for the Fund;

3. *Welcomes* the development of new strategies for the programme management of the Fund based on long-term and short-term priorities;[160]

4. *Encourages* the Fund in its efforts to document and share its experiences in the context of increasing emphasis on the human development dimension in technical co-operation;

5. *Urges* Governments and public and private donors to continue to extend their support to the Fund through voluntary contributions and pledges to its programmes;

6. *Stresses* the importance of the work of the Consultative Committee on the United Nations Development Fund for Women in policy and programme matters relating to the activities of the Fund;

7. *Requests* the Secretary-General to explore the possibility of providing conference services in the relevant working languages to the Consultative Committee, bearing in mind the importance of its work;

8. *Also requests* the Secretary-General to transmit to the General Assembly at its forty-sixth session the report of the Administrator of the United Nations De-

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[158] See United Nations publication, Sales No. E.89.IV.2.

[159] A/45/347, annex, sect. IV.

[160] *Ibid.*, sect. II.

velopment Programme on the activities of the Fund to be submitted in accordance with Assembly resolution 39/125.

68th plenary meeting
14 December 1990

45/129. Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women

The General Assembly,

Recalling all its relevant resolutions, in particular resolution 44/77 of 8 December 1989, in which, *inter alia,* it endorsed and reaffirmed the importance of the Nairobi Forward-looking Strategies for the Advancement of Women[14] for the period up to the year 2000 and set out measures for their immediate implementation and for the overall achievement of the interrelated goals and objectives of the United Nations Decade for Women: Equality, Development and Peace,

Taking into consideration the resolutions adopted by the Economic and Social Council on issues relating to women since its resolution 1987/18 of 26 May 1987,

Reaffirming its resolution 40/30 of 29 November 1985, in which it emphasized that the elderly must be considered an important and necessary element in the development process at all levels within a given society and that, consequently, elderly women should be considered contributors to as well as beneficiaries of development,

Reaffirming also its determination to encourage the full participation of women in economic, social, cultural, civil and political affairs and to promote development, co-operation and international peace,

Conscious of the important and constructive contribution to the improvement of the status of women made by the Commission on the Status of Women, the specialized agencies, the regional commissions and other organizations and bodies of the United Nations system and non-governmental organizations concerned,

Emphasizing once again the priority of the implementation, monitoring, review and appraisal of the Forward-looking Strategies,

Recognizing the advancement of women as one of the priorities of the Organization for the biennium 1990-1991,

Recalling that the Commission held in 1990 a session of extended duration to review and appraise progress in the implementation of the Forward-looking Strategies,

1. *Takes note* of the report of the Secretary-General;[161]

2. *Also takes note* of the recommendations and conclusions arising from the first review and appraisal of the implementation of the Forward-looking Strategies, contained in the annex to Economic and Social Council resolution 1990/15 of 24 May 1990;

3. *Urges* Governments, international organizations and non-governmental organizations to implement the recommendations;

4. *Reaffirms* paragraph 2 of section I of the recommendations and conclusions, in which it is stated that the pace of implementation of the Forward-looking Strategies must be improved in the crucial last decade of the twentieth century since the cost to societies of failing to implement the Strategies would be high in terms of slowed economic and social development, misuse of human resources and reduced progress for society as a whole and, for that reason, immediate steps should be taken to remove the most serious obstacles to the implementation of the Strategies;

5. *Calls again upon* Member States to give priority to policies and programmes relating to the subtheme "Employment, health and education", in particular to literacy, for the empowerment of women, especially those in the rural areas, to meet their own needs through self-reliance and the mobilization of indigenous resources, as well as to issues relating to the role of women in economic and political decision-making, population, the environment and information;

6. *Reaffirms* the central role of the Commission on the Status of Women in matters related to the advancement of women, and calls upon it to continue promoting the implementation of the Forward-looking Strategies to the year 2000, based on the goals of the United Nations Decade for Women: Equality, Development and Peace and the subtheme "Employment, Health and Education", and urges all organizations of the United Nations system to co-operate effectively with the Commission in this task;

7. *Requests* the Commission, when considering the priority theme relating to development during its thirty-fifth and subsequent sessions, to ensure its early contribution to the work of the international meeting on population to be held in 1994 and to address the role of technologies in the development of developing countries;

8. *Endorses* Economic and Social Council resolution 1990/12 of 24 May 1990, in which the Council recommended that a world conference on women should be held in 1995 and requested that the Commission act as the preparatory body for the world conference;

9. *Takes note* of the invitation extended by the Government of Austria to host the world conference on women in 1995 at Vienna;[162]

10. *Requests* the Commission, as the preparatory body for the world conference, to decide on the venue of the conference, not later than 1992, bearing in mind that preference should be given to those regions that have not yet hosted a world conference on women;

11. *Also requests* the Commission, in deciding on the preparation of documentation for the conference, to pay attention to Economic and Social Council resolution 1990/9 of 24 May 1990 concerning the second report on the implementation of the Forward-looking Strategies;

12. *Further requests* the Commission to focus the agenda of the world conference in 1995 on the Forward-looking Strategies as well as on the recommendations and conclusions arising from the first review and appraisal of the implementation of the Strategies;[163]

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[161] A/45/489.

[162] See A/C.3/45/5.

[163] E/CN.6/1990/5.

13. *Requests* the Commission to ask the Secretary-General to appoint not later than 1992 the Secretary-General of the conference;

14. *Requests* the relevant United Nations bodies to continue to provide action-oriented input when reporting to the Commission on the priority theme;

15. *Emphasizes,* in the framework of the Forward-looking Strategies, the importance of the total integration of women in the development process, bearing in mind the specific and urgent needs of the developing countries, and calls upon Member States to establish specific targets at each level in order to increase the participation of women in professional, management and decision-making positions in their countries;

16. *Also emphasizes* the need to give urgent attention to redressing socio-economic inequities at the national and international levels as a necessary step towards the full realization of the goals and objectives of the Forward-looking Strategies;

17. *Urges* that particular attention be given by the United Nations and Governments to the situation of disabled women and that Governments take steps to ensure the equalization of opportunities for these women in the economic, social and political fields;

18. *Also urges* the Commission, the relevant organizations of the United Nations and Governments to give particular attention to refugee women and children and migrant women, taking into account their contribution in the social, economic and political fields and the urgent need to avoid all kinds of discrimination against them;

19. *Endorses* the convening in 1991 of a high-level interregional consultation on women in public life, to be financed within existing resources and from voluntary and other contributions;

20. *Requests* the Secretary-General, in formulating the system-wide medium-term plan for the advancement of women for the period 1996-2001 and in integrating the Forward-looking Strategies into activities mandated by the General Assembly, to pay particular attention to the strengthening of national machineries for the advancement of women and to specific sectoral themes that cut across the three objectives, equality, development and peace, and include, in particular, literacy, education, health, population, the environment and the full participation of women in decision-making;

21. *Also requests* the Secretary-General to continue updating the *World Survey on the Role of Women in Development,*[158] bearing in mind its importance, placing particular emphasis on the adverse impact of the difficult economic situation affecting the majority of developing countries, in particular on the condition of women, and giving special attention to worsening conditions for the incorporation of women into the labour force as well as to the impact of reduced expenditures for social services on women's opportunities for education, health and child care, and to submit a preliminary version of the updated *World Survey on the Role of Women in Development* to the Economic and Social Council, through the Commission, in 1993 and a final version in 1994;

22. *Requests* Governments, when presenting candidatures for vacancies in the Secretariat, in particular at the decision-making level, to give priority to women's candidatures, and requests the Secretary-General in reviewing these candidatures to give special consideration to female candidates from underrepresented and unrepresented developing countries;

23. *Requests* the Secretary-General to invite Governments, organizations of the United Nations system, including the regional commissions and the specialized agencies, and intergovernmental and non-governmental organizations to report periodically to the Economic and Social Council, through the Commission, on activities undertaken at all levels to implement the Forward-looking Strategies;

24. *Also requests* the Secretary-General to continue to provide for the existing weekly radio programmes on women in the regular budget of the United Nations, making adequate provisions for broadcasts in different languages, and to develop the focal point for issues relating to women in the Department of Public Information of the Secretariat, which, in concert with the Centre for Social Development and Humanitarian Affairs of the Secretariat, should provide a more effective public information programme relating to the advancement of women;

25. *Further requests* the Secretary-General to include in his report on the implementation of the Forward-looking Strategies, to be submitted to the General Assembly at its forty-sixth session, an assessment of recent developments that are relevant to the priority themes to be considered at the subsequent session of the Commission and to transmit to the Commission a summary of relevant views expressed by delegations during the debate in the Assembly;

26. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on measures taken to implement the present resolution;

27. *Decides* to consider these questions further at its forty-sixth session under the item entitled "Forward-looking strategies for the advancement of women to the year 2000".

68th plenary meeting
14 December 1990

45/130. Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights

The General Assembly,

Reaffirming its faith in the importance of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV) of 14 December 1960,

Reaffirming also the importance of the universal realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperatives for the full enjoyment of all human rights,

Reaffirming further the obligation of all Member States to comply with the principles of the Charter of the United Nations and the resolutions of the United

Nations regarding the exercise of the right to self-determination by peoples under colonial and foreign domination,

Recalling its resolution 1514 (XV) and all relevant resolutions concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Welcoming Namibia's attainment of independence,

Bearing in mind the Declaration adopted by the World Conference on Sanctions against Racist South Africa,[164]

Recalling with satisfaction the adoption at Harare on 21 August 1989 of the Declaration of the *Ad Hoc* Committee of the Organization of African Unity on Southern Africa on the question of South Africa[165] and its subsequent endorsement by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,[42] as well as the report of the Monitoring Group of the *Ad Hoc* Committee of the Organization of African Unity on Southern Africa,[166] and the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa,[60] adopted by the General Assembly on 14 December 1989,

Bearing in mind also the outcome of the International Conference on the Alliance between South Africa and Israel, held at Vienna from 11 to 13 July 1983,[167]

Taking note of resolution CM/Res.1272 (LII) on South Africa adopted by the Council of Ministers of the Organization of African Unity at its fifty-second ordinary session, held at Addis Ababa from 3 to 8 July 1990,[168]

Reaffirming that the system of *apartheid* imposed on the South African people constitutes a violation of the fundamental rights of that people, a crime against humanity and a constant threat to international peace and security,

Reaffirming also its resolution 39/2 of 28 September 1984 and recalling Security Council resolution 554 (1984) of 17 August 1984, in which the Council rejected the so-called "new constitution" as null and void, and Council resolution 569 (1985) of 26 July 1985,

Alarmed by the continuing acts of assassination and abductions of members and leaders of the national liberation movements in Africa and elsewhere by hit squads deployed and paid by the racist régime,

Welcoming its resolution 44/244, adopted by consensus on 17 September 1990, in which, *inter alia,* it called upon the South African régime to abide fully by the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa,

Noting that, while some significant political measures in the right direction have been undertaken by the *apartheid* régime, such as the lifting of the ban on political organizations and the release of some political prisoners, *apartheid* is still firmly in place,

Welcoming also the ongoing talks between the African National Congress of South Africa and the South African régime aimed at establishing a political environment suitable for negotiations towards the dismantling of *apartheid,* and the results achieved thus far as contained in the Groote Schuur Minute[169] and the Pretoria Minute,[170]

Noting with concern that political trials and the detention of political activists continue unabated in South Africa and in total disregard of the agreements reached in talks between the régime and the African National Congress of South Africa,

Deeply concerned about the current wave of violence in South Africa resulting from the continued existence of *apartheid* policies, practices and structures as well as from actions of those forces opposed to the democratic transformation of the country,

Gravely concerned about the *apartheid* régime's continued use of the death penalty against South African patriots with contemptuous disregard for appeals for clemency from the international community, including the General Assembly,

Considering the concerted campaign by the President of the *apartheid* régime to project himself as a reformer in order to ward off the further imposition of sanctions by the international community,

Deeply concerned about the continued terrorist acts of aggression committed by the Pretoria régime against independent African States in the region, in particular the unprovoked attacks against Mozambique, Zambia and Zimbabwe,

Deeply indignant at the persistent policy of hostility by the racist régime of South Africa against Angola, which constitutes an act of aggression against the sovereignty and territorial integrity of that country,

Reaffirming the national unity and territorial integrity of the Comoros,

Recalling the Political Declaration adopted by the first Conference of Heads of State and Government of the Organization of African Unity and the League of Arab States, held at Cairo from 7 to 9 March 1977,[171]

Recalling also the Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights, adopted by the International Conference on the Question of Palestine,[172]

Considering that the denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the brutal suppression by the Israeli forces of the heroic uprising, the *intifadah,* of the Palestinian population in the occupied territories, as well as repeated Israeli aggression against the population of the region, constitute a serious threat to international peace and security,

Bearing in mind Security Council resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988 and 608 (1988) of 14 January 1988 and General

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[164] *Report of the World Conference on Sanctions against Racist South Africa, Paris, 16-20 June 1986* (United Nations publication, Sales No. E.86.I.23), chap. IX.

[165] A/44/697, annex.

[166] A/44/963, annex.

[167] See A/38/311-S/15883, annex.

[168] See A/45/482, annex I.

[169] A/45/268, annex.

[170] See A/44/976.

[171] See *Official Records of the Security Council, Thirty-second Year, Supplement for January, February and March 1977,* document S/12298.

[172] *Report of the International Conference on the Question of Palestine, Geneva, 29 August–7 September 1983* (United Nations publication, Sales No. E.83.I.21), chap. I.

Assembly resolutions 43/21 of 3 November 1988, 43/177 of 15 December 1988 and 44/2 of 6 October 1989, on the deterioration of the situation of the Palestinian people in the occupied territories,

Deeply concerned and alarmed at the deplorable consequences of Israel's acts of aggression against Lebanon and its practices in and its continuing occupation of parts of southern Lebanon, as well as its refusal to implement the relevant resolutions of the Security Council, in particular resolution 425 (1978) of 19 March 1978,

1. *Calls upon* all States to implement fully and faithfully all the resolutions of the United Nations regarding the exercise of the right to self-determination and independence by peoples under colonial and foreign domination;

2. *Reaffirms* the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial domination, *apartheid* and foreign occupation by all available means, including armed struggle;

3. *Reaffirms also* the inalienable right of the Palestinian people and all peoples under foreign occupation and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without foreign interference;

4. *Strongly condemns* those Governments that do not recognize the right to self-determination and independence of all peoples still under colonial domination, alien subjugation and foreign occupation, notably the peoples of Africa and the Palestinian people;

5. *Calls upon* Israel to refrain from deporting any Palestinian civilians from the occupied Palestinian territories and to release immediately all Palestinian detainees;

6. *Strongly condemns also* the constant and deliberate violations of the fundamental rights of the Palestinian people, as well as the expansionist activities of Israel in the Middle East, which constitute an obstacle to the achievement of self-determination and independence by the Palestinian people and a threat to peace and stability in the region;

7. *Urges* all States, the specialized agencies and organizations of the United Nations system, as well as other international organizations, to extend their support to the Palestinian people through its sole and legitimate representative, the Palestine Liberation Organization, in its struggle to regain its right to self-determination and independence in accordance with the Charter of the United Nations;

8. *Urgently appeals* to all States, the United Nations system and other international organizations to assist in the reconstruction and economic development of Namibia;

9. *Condemns* the policy of "bantustanization" and reiterates its support for the oppressed people of South Africa in its just and legitimate struggle against the racist minority régime of Pretoria;

10. *Reaffirms* its rejection of the so-called "new constitution" as null and void, and reiterates that peace in South Africa can be guaranteed only by the establishment of majority rule through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa;

11. *Commends* the mass democratic movement in South Africa for the tremendous advances scored during the recent campaign of defiance of unjust *apartheid* laws in the ongoing struggle against *apartheid;*

12. *Welcomes* the unconditional release of Nelson Mandela and other political prisoners, but condemns the continuing practice of detentions and imprisonment of political activists by the *apartheid* régime;

13. *Strongly urges* the *apartheid* régime to respond positively to the provisions of the Declaration of the *Ad Hoc* Committee of the Organization of African Unity on Southern Africa on the question of South Africa[165] and the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa[60] by releasing unconditionally all political prisoners and by halting all political trials as a means of creating an environment conducive to the peaceful resolution of the South African situation;

14. *Determines* that the South African racist régime must take additional steps to implement the profound and irreversible changes called for in the Declaration on *Apartheid;*

15. *Calls* for an immediate end to violence and calls upon the South African régime to take urgent action to end it, specifically by dismantling the *apartheid* structures and ensuring that effective and impartial action is taken by its security forces, and calls upon all parties concerned to contribute to the establishment of a climate free of violence;

16. *Strongly condemns* the establishment and use of armed terrorist groups by South Africa with a view to pitting them against the national liberation movements and destabilizing the legitimate Governments of southern Africa;

17. *Calls once again* for the full implementation of the provisions of the Declaration adopted by the World Conference on Sanctions against Racist South Africa;[164]

18. *Again demands* the immediate application of the mandatory arms embargo against South Africa, imposed under Security Council resolution 418 (1977) of 4 November 1977, by all countries and more particularly by those countries which maintain military and nuclear co-operation with the racist Pretoria régime and continue to supply it with related *matériel;*

19. *Strongly condemns* the policy of those Western States, Israel and other States whose political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime of South Africa encourage that régime to persist in its suppression of the aspirations of the people to self-determination and independence;

20. *Denounces* the collusion between Israel and South Africa and expresses support for the Declaration of the International Conference on the Alliance between South Africa and Israel;[167]

21. *Strongly condemns* the persistent policy of hostility and aggression pursued by racist South Africa against the sovereignty and territorial integrity of Angola, which constitutes a violation of the New York accord of 22 December 1988;[173]

22. *Demands* that the Pretoria régime respect the sovereignty and territorial integrity of Angola and the principle of non-interference in the internal affairs of that State, and demands the immediate payment of compensation to Angola for damages caused, in accordance with the relevant decisions and resolutions of the Security Council;

23. *Commends* the Government of Angola for its political will, diplomatic flexibility and constructive spirit in the search for a negotiated solution to the problems of southern Africa;

24. *Strongly reaffirms* its solidarity with the independent African countries and national liberation movements that are victims of murderous acts of aggression and destabilization by the racist régime of Pretoria, and calls upon the international community to render increased assistance and support to these countries in order to enable them to strengthen their defence capacity, defend their sovereignty and territorial integrity and peacefully rebuild and develop;

25. *Strongly condemns* the racist régime of South Africa for its past acts of destabilization against Lesotho, and strongly urges the international community to continue to extend maximum assistance to Lesotho to enable it to fulfil its international humanitarian obligations towards refugees and to use its influence on the racist régime of South Africa so that it desists from such acts against Lesotho;

26. *Demands* that the racist régime of South Africa pay full and adequate compensation to Botswana for the loss of life and damage to property resulting from the unprovoked and unwarranted military attacks of 14 June 1985, 19 May 1986 and 20 June 1988 on the capital of Botswana;

27. *Strongly condemns* the escalation of massacres of defenceless people and the continuing destruction of economic and social infrastructures perpetrated against Mozambique by armed terrorists, who are an extension of the South African army of aggression;

28. *Reaffirms* all relevant resolutions adopted by the Organization of African Unity and the United Nations on the question of Western Sahara, including General Assembly resolution 44/88 of 11 December 1989, and calls upon the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to continue their efforts to find a just and lasting solution to the question;

29. *Notes* the contacts between the Government of the Comoros and the Government of France in the search for a just solution to the problem of the integration of the Comorian island of Mayotte into the Comoros, in accordance with the resolutions of the Organization of African Unity and the United Nations on the question;

30. *Strongly condemns* the continued violation of the human rights of the peoples still under colonial domination and alien subjugation;

31. *Calls* for a substantial increase in all forms of assistance given by all States, United Nations organs, the specialized agencies and non-governmental organizations to the victims of racism, racial discrimination and *apartheid* through national liberation movements recognized by the Organization of African Unity;

32. *Reaffirms* that the practice of using mercenaries against sovereign States and national liberation movements constitutes a criminal act, and calls upon the Governments of all countries to enact legislation declaring the recruitment, financing and training of mercenaries in their territories and the transit of mercenaries through their territories to be punishable offences and prohibiting their nationals from serving as mercenaries, and to report on such legislation to the Secretary-General;

33. *Demands* the immediate and unconditional release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and compliance with article 5 of the Universal Declaration of Human Rights,[5] under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

34. *Expresses its appreciation* for the material and other forms of assistance that peoples under colonial rule continue to receive from Governments, organizations of the United Nations system and other intergovernmental organizations, and calls for a substantial increase in that assistance;

35. *Urges* all States, the specialized agencies and other competent organizations of the United Nations system to do their utmost to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to intensify their efforts to support peoples under colonial, foreign and racist domination in their just struggle for self-determination and independence;

36. *Requests* the Secretary-General to give maximum publicity to the Declaration on the Granting of Independence to Colonial Countries and Peoples and to give the widest possible publicity to the struggle of oppressed peoples for the achievement of their self-determination and national independence and to report periodically to the General Assembly on his activities in this regard;

37. *Decides* to consider this item at its forty-sixth session on the basis of the reports on the strengthening of assistance to colonial territories and peoples that Governments, organizations of the United Nations system, other intergovernmental organizations and non-governmental organizations have been requested to submit.

68th plenary meeting
14 December 1990

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[173] A/43/989-S/20346, annex; see *Official Records of the Security Council, Forty-third Year, Supplement for October, November and December 1988*, document S/20346.

45/131. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[33] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth,[174] thirty-seventh,[175] thirty-eighth,[176] thirty-ninth,[177] fortieth,[178] forty-first,[179] forty-second,[180] forty-third,[181] forty-fourth,[182] forty-fifth[183] and forty-sixth sessions,[3]

Reiterating its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988 and 44/80 of 8 December 1989,

Taking note of the report of the Secretary-General,[184]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of these acts against the peoples concerned;

4. *Deplores* the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this issue to the General Assembly at its forty-sixth session under the item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

68th plenary meeting
14 December 1990

45/132. Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination

The General Assembly,

Recalling the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as well as a scrupulous respect for the principle of the non-use or threat of the use of force in international relations, as developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,[185]

Reaffirming the legitimacy of the struggle of peoples and their liberation movements for their independence, territorial integrity, national unity and liberation from colonial domination, *apartheid* and foreign intervention and occupation, and that their legitimate struggle can in no way be considered as or equated to mercenary activity,

Recognizing that the use of mercenaries is a threat to international peace and security,

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[174] See *Official Records of the Economic and Social Council, 1980, Supplement No. 3* and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

[175] *Ibid., 1981, Supplement No. 5* and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

[176] *Ibid., 1982, Supplement No. 2* and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

[177] *Ibid., 1983, Supplement No. 3* and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

[178] *Ibid., 1984, Supplement No. 4* and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

[179] *Ibid., 1985, Supplement No. 2* (E/1985/22), chap. II, sect. A.

[180] *Ibid., 1986, Supplement No. 2* (E/1986/22), chap. II, sect. A.

[181] *Ibid., 1987, Supplement No. 5* and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

[182] *Ibid., 1988, Supplement No. 2* and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

[183] *Ibid., 1989, Supplement No. 2* (E/1989/20), chap. II, sect. A.

[184] A/45/500.

[185] Resolution 2625 (XXV), annex.

Deeply concerned about the menace that the activities of mercenaries represent for all States, particularly African and other developing States,

Alarmed at the emergence of new international criminal activities carried out by mercenaries in collusion with drug traffickers,

Recognizing that the activities of mercenaries are contrary to the fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and impede the process of the self-determination of peoples struggling against colonialism, racism and *apartheid* and all forms of foreign domination,

Recalling all of its relevant resolutions, as well as those of the Security Council, the Economic and Social Council and the Organization of African Unity, in which, *inter alia,* it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements,

Deeply concerned about the loss of life, the substantial damage to property and the short-term and long-term negative effects on the economy of southern African countries resulting from mercenary aggression,

Convinced that it is necessary to develop international co-operation among States for the prevention and prosecution of and punishment for such offences,

Welcoming the adoption of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries,[186]

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Commission on Human Rights;[187]

2. *Condemns* the recruitment, financing, training, assembly, transit and use of mercenaries, as well as all other forms of support to mercenaries, for the purpose of destabilizing and overthrowing the Governments of African States and of other developing States and fighting against the national liberation movements of peoples struggling for the exercise of their right to self-determination;

3. *Affirms* that the use of mercenaries and their recruitment, financing and training are offences of grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

4. *Strongly condemns* the racist régime of South Africa for its use of groups of armed mercenaries against national liberation movements and for the destabilization of the Governments of southern African States;

5. *Denounces* any State that persists in the recruitment, or permits or tolerates the recruitment, of mercenaries and provides facilities to them for launching armed aggression against other States;

6. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure, by both administrative and legislative measures, that the territory of those States and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries, or for the planning of activities designed to destabilize or overthrow the Government of any State and to fight the national liberation movements struggling against racism, *apartheid,* colonial domination and foreign intervention or occupation;

7. *Calls upon* all States to extend humanitarian assistance to victims of situations resulting from the use of mercenaries, as well as from colonial or alien domination or foreign occupation;

8. *Considers* that to use channels of humanitarian and other assistance to finance, train and arm mercenaries is inadmissible;

9. *Urges* all States to take early action to sign, accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, in order to expedite the coming into force of that Convention;

10. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the use of mercenaries.

68th plenary meeting
14 December 1990

45/133. International Year of the Family

The General Assembly,

Guided by the resolve of the peoples of the United Nations to promote social progress and better standards of life in larger freedom, with a view to the creation of conditions of stability and well-being, which are necessary for peaceful and friendly relations between nations,

Guided also by the relevant provisions of the Universal Declaration of Human Rights,[5] the International Covenant on Economic, Social and Cultural Rights[33] and the Declaration on Social Progress and Development,[12] according to which the widest possible protection and assistance should be accorded to the family,

Bearing in mind the Nairobi Forward-looking Strategies for the Advancement of Women[14] and recalling that by its resolution 42/125 of 7 December 1987 it endorsed the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future,[13] which called for social welfare policies to give greater attention to the family,

Welcoming the entry into force on 2 September 1990 of the Convention on the Rights of the Child[52] and the successful conclusion of the World Summit for Children, held in New York on 29 and 30 September 1990, in particular the adoption of the World Declaration on the Survival, Protection and Development of Children[53] and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,[53]

Recalling its resolutions 42/134 of 7 December 1987 and 43/135 of 8 December 1988 on the need to enhance international co-operation in the field of the protection of and assistance to the family, as well as Economic and Social Council resolutions 1983/23 of 26 May 1983, 1985/29 of 29 May 1985 and 1989/54 of 24 May 1989,

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[186] Resolution 44/34, annex.

[187] A/45/488, annex.

Recalling, in particular, its resolution 44/82 of 8 December 1989, in which it proclaimed 1994 as the International Year of the Family and requested the Secretary-General to prepare a draft programme for the preparation for and observance of the Year,

Confident that the Year will offer a unique opportunity for mobilizing efforts, particularly at the local and national levels, to highlight the importance of the family, promote a better understanding of its functions and problems and strengthen national institutions to formulate, implement and monitor policies in respect of the family,

Aware that for the Year to be successful and for its impact and practical efficiency to be maximized, adequate preparation and the widespread support of all Governments, specialized agencies, intergovernmental and non-governmental organizations and the public are required,

Recognizing the efforts made by Governments at the local and national levels in carrying out specific programmes concerning the family, in which the United Nations may have an important role to play, and in raising awareness, increasing understanding and promoting policies that improve the position and well-being of the family,

Stressing the significant role that non-governmental organizations may play in the preparation and implementation of the programme for the Year,

Taking into account its decision 35/424 of 5 December 1980 and Economic and Social Council resolution 1980/67 of 25 July 1980 concerning guidelines for international years and anniversaries,

1. *Takes note* of the note by the Secretary-General,[188] prepared in pursuance of its resolution 44/82;

2. *Welcomes* the designation by the Secretary-General of a Co-ordinator for the International Year of the Family and the establishment of an organizational secretariat for the Year within the Social Development Division of the Centre for Social Development and Humanitarian Affairs of the Secretariat;

3. *Invites* Governments to contribute resources, including staff, to the organizational secretariat;

4. *Affirms* that the major activities for the observance of the Year should be concentrated at the local and national levels and assisted by the United Nations and its system of organizations, with a view to creating among Governments, policy-makers and the public a greater awareness of the family as the natural and fundamental unit of society;

5. *Invites* all Governments, specialized agencies, intergovernmental and non-governmental organizations concerned, as well as interested national organizations, to exert all possible efforts in the preparation for and observance of the Year and to co-operate with the Secretary-General in achieving the objectives of the Year;

6. *Appeals* to the Governments that have not yet done so to make known to the Secretary-General their views on the preparation for and observance of the Year in order to ensure an adequate basis for formulating the programme for the Year;

7. *Requests* the Secretary-General to finalize a draft programme for the preparation for and observance of the Year and to submit it for consideration by the Commission for Social Development at its session in 1991 and by the General Assembly at its forty-sixth session;

8. *Requests* the Commission for Social Development to give priority consideration at its session in 1991 to the draft programme for the Year;

9. *Invites* the Commission for Social Development to ensure that all plans, programmes and activities related to the family accord with the concept of equality between women and men as expressed in the Nairobi Forward-looking Strategies for the Advancement of Women,[14] and with the Convention on the Elimination of All Forms of Discrimination against Women[44] and to ensure the incorporation of the principles relating to policies aimed at fostering equality between women and men, as outlined in the report of the Secretary-General,[189] into the programme for the Year;

10. *Requests* the Commission for Social Development to inform the Commission on the Status of Women on the preparations for the Year;

11. *Invites* all States to take prompt action to establish national mechanisms, such as co-ordinating committees, to prepare for, observe and follow up the Year, in particular for the purpose of planning, stimulating and harmonizing the activities of the governmental and non-governmental agencies and organizations concerned with the preparation for and observance of the Year;

12. *Requests* the Secretary-General to establish a voluntary fund for the preparation for and observance of the Year and invites all States and interested organizations to contribute to that fund;

13. *Also requests* the Secretary-General to continue taking specific measures, through all the communication media at his disposal, to give widespread publicity to the activities of the United Nations system in the area of family issues and to increase the dissemination of information on the family;

14. *Further requests* the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the progress made in the preparations for the Year, and to include therein recommendations and comments made by the preparatory and co-ordinating bodies for the Year;

15. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "International Year of the Family".

68th plenary meeting
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[188] A/45/365.

[189] See A/44/407.

45/134. Follow-up to the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, and the negative social consequences of alcohol use

The General Assembly,

Recalling its resolution 42/125 of 7 December 1987, in which, *inter alia,* it endorsed the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future,[13] adopted by the Interregional Consultation on Developmental Social Welfare Policies and Programmes,

Recalling also Economic and Social Council resolution 1989/49 of 24 May 1989 concerning the follow-up to the Guiding Principles, in which the Council requested the Secretary-General, *inter alia,* to carry out a study on the negative social consequences of alcohol use, based on the report of an expert meeting to be convened on the question,

Convinced that the dangerous dimension of alcohol use requires sustained action for the implementation of a comprehensive international response, based on a common effort by all States,

1. *Notes with appreciation* the holding of the Expert Meeting on the Negative Social Consequences of Alcohol Use at Oslo from 27 to 31 August 1990, which was convened by the Government of Norway with the substantive support of the Centre for Social Development and Humanitarian Affairs of the Secretariat;

2. *Takes note* of the report of the Expert Meeting[190] and requests the Secretary-General to make the report available to the Commission for Social Development at its thirty-second session;

3. *Invites* Member States to submit their comments on the report of the Expert Meeting to the Commission for Social Development at its thirty-second session;

4. *Requests* the Commission for Social Development to report on its discussions of the report and the comments from Member States to the Economic and Social Council at its first regular session of 1991 with proposals for future action.

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45/135. International Covenants on Human Rights

The General Assembly,

Recalling its resolution 44/129 of 15 December 1989 and taking note of Commission on Human Rights resolution 1990/20 of 23 February 1990,[3]

Mindful that the International Covenants on Human Rights[33] constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights,[5] form the core of the International Bill of Human Rights,

Considering that the twenty-fifth anniversary of the adoption of the Covenants on 16 December 1991 provides an appropriate occasion to focus on the fundamental importance and special status of these basic human rights instruments of the United Nations,

Taking note of the report of the Secretary-General[191] on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights,

Noting, in this regard, that a number of States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights[33] and the International Covenant on Civil and Political Rights,[33] and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other,

Recognizing the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[192]

Also recognizing the important role of the Committee on Economic, Social and Cultural Rights in the implementation of the International Covenant on Economic, Social and Cultural Rights,

Welcoming the submission to the General Assembly of the annual report of the Human Rights Committee[193] and the report of the Committee on Economic, Social and Cultural Rights on its fourth session,[194]

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

Noting with concern the critical situation with regard to overdue reports from States parties to the International Covenants on Human Rights,

Taking note with appreciation of the recommendations and conclusions of the third meeting of persons chairing human rights treaty bodies, held at Geneva from 1 to 5 October 1990,[8]

1. *Takes note with appreciation* of the report of the Human Rights Committee on its thirty-seventh, thirty-eighth and thirty-ninth sessions,[193] including the suggestions and recommendations of a general nature approved by the Committee;

2. *Also takes note with appreciation* of the report of the Committee on Economic, Social and Cultural Rights on its fourth session, including its suggestions and recommendations;

3. *Expresses its satisfaction* with the serious and constructive manner in which both Committees are carrying out their function;

4. *Urges* States parties to the International Covenants on Human Rights to pay active attention to the

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[190] A/C.3/45/3, annex.

[191] A/45/403.

[192] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

[193] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 40, vols. I and II* (A/45/40).

[194] *Official Records of the Economic and Social Council, 1990, Supplement No. 3* (E/1990/23).

protection and promotion of civil and political rights, as well as economic, social and cultural rights, taking into consideration their indivisible and interrelated character and the fact that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights;

5. *Urges* those States parties to the International Covenant on Civil and Political Rights that have been requested by the Human Rights Committee to provide additional information to comply with that request;

6. *Also urges* States parties to fulfil their reporting obligations under the International Covenants on Human Rights;

7. *Notes with satisfaction* that the majority of States parties to the International Covenant on Civil and Political Rights and an increasing number of States parties to the International Covenant on Economic, Social and Cultural Rights have been represented by experts in the presentation of their reports, thereby assisting the respective monitoring bodies in their work, and hopes that all States parties to both Covenants will arrange such representation in the future;

8. *Again urges* all States which have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and to consider acceding to the Optional Protocols to the International Covenant on Civil and Political Rights;

9. *Invites* the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

10. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

11. *Stresses* the importance of avoiding the erosion of human rights by derogation, and underlines the necessity of strict observance of the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency, so that the justification for and appropriateness of measures taken in these circumstances can be assessed;

12. *Appeals* to States parties to the Covenants that have exercised their sovereign right to make reservations in accordance with relevant rules of international law to consider whether any such reservations should be reviewed;

13. *Urges* States parties to the International Covenant on Economic, Social and Cultural Rights, the specialized agencies and other relevant United Nations bodies to extend their full support and co-operation to the Committee on Economic, Social and Cultural Rights;

14. *Welcomes* the adoption by the Committee on Economic, Social and Cultural Rights of general comment No. 2 (1990), regarding international technical assistance measures in relation to article 22 of the Covenant;[195]

15. *Requests* the Secretary-General to keep the Human Rights Committee and the Committee on Economic, Social and Cultural Rights informed of the relevant activities of the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Commission on the Status of Women, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee against Torture and, where appropriate, other functional commissions of the Economic and Social Council and the specialized agencies, and also to transmit the annual reports of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to those bodies;

16. *Also requests* the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates;

17. *Again urges* the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

18. *Encourages* all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many languages as possible and to distribute them and make them known as widely as possible in their territories;

19. *Further requests* the Secretary-General to submit to the General Assembly at its forty-sixth session, under the item entitled "International Covenants on Human Rights", a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights;

20. *Decides* to hold a commemorative meeting in honour of the Covenants on 16 December 1991, the twenty-fifth anniversary of their adoption.

68th plenary meeting
14 December 1990

45/136. Elimination of all forms of religious intolerance

The General Assembly,

Conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

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[195] *Ibid.*, annex III.

Recalling its resolution 44/131 of 15 December 1989, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Encouraged by the efforts being made by the Commission on Human Rights and by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study relevant developments affecting the implementation of the Declaration,

Taking note of Commission on Human Rights resolution 1990/27 of 2 March 1990[3] and Economic and Social Council decision 1990/229 of 25 May 1990, by which the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate was extended for two years,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief by, *inter alia,* engaging in the examination of the most effective means to promote the implementation of the Declaration,

Conscious of the importance of education in ensuring tolerance of religion and belief,

Seriously concerned that intolerance and discrimination on the grounds of religion or belief continue to occur in many parts of the world and that in some respects the incidence thereof has increased,

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of intolerance and discrimination based on religion or belief,

Noting that the tenth anniversary of the proclamation by the General Assembly of the Declaration will occur in 1991 and that this will provide an opportunity to reinforce efforts aimed at the effective implementation of the Declaration,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;

2. *Urges* States, therefore, in accordance with their respective constitutional systems and with such internationally accepted instruments as the Universal Declaration of Human Rights,[5] the International Covenant on Civil and Political Rights[33] and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

3. *Urges* all States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and, in this context, to examine where necessary the supervision and training of their civil servants, educators and other public officials to ensure that, in the course of their official duties, they respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

4. *Calls upon* all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

5. *Also calls upon* all States in accordance with their national legislation to exert utmost efforts to ensure that religious places and shrines are fully respected and protected;

6. *Urges* all States to consider, in the context of the tenth anniversary in 1991 of the proclamation of the Declaration by the General Assembly, what further measures might be taken at the national and regional levels to promote the effective implementation of the Declaration;

7. *Invites* the United Nations University and other academic and research institutions to undertake programmes and studies on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief;

8. *Considers* it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and to ensure, especially in the context of the tenth anniversary of the proclamation of the Declaration, that appropriate measures are taken to this end in the World Public Information Campaign for Human Rights;

9. *Invites* the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration, in all the official languages of the United Nations, and to take all appropriate measures to make the text available for use by United Nations information centres, as well as by other interested bodies;

10. *Welcomes* the efforts of non-governmental organizations to promote the implementation of the Declaration, including the Second International Conference on Ways to Promote the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, held at Warsaw from 14 to 18 May 1989;

11. *Requests* the Secretary-General to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

12. *Urges* all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

13. *Welcomes* the decision of the Economic and Social Council, based on the recommendation of the Commission on Human Rights at its forty-sixth session, to renew for two years the mandate of the Special Rap-

porteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

14. *Notes* that the Commission on Human Rights welcomed the working paper prepared by Mr. Theo van Boven,[196] member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which contained a compilation of provisions relevant to the elimination of intolerance and discrimination based on religion or belief, as well as the issues and factors to be considered before any drafting of a further binding international instrument, and emphasizes, in this connection, the relevance of General Assembly resolution 41/120 of 4 December 1986 entitled "Setting international standards in the field of human rights";

15. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration and to report, through the Economic and Social Council, to the General Assembly at its forty-sixth session;

16. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Elimination of all forms of religious intolerance" and to consider the report of the Commission on Human Rights under that item.

68th plenary meeting
14 December 1990

45/137. International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa

The General Assembly,

Recalling its resolution 44/136 of 15 December 1989,

Gravely concerned about the continuous deterioration of the situation in southern Africa arising from the domination and oppression of the people of South Africa by the minority racist régime of South Africa,

Having examined the report of the Secretary-General,[197]

Conscious of its responsibility to provide economic, material and humanitarian assistance to independent States in southern Africa in order to assist them in coping with the situation resulting from the acts of aggression and destabilization committed by the *apartheid* régime of South Africa,

Noting with appreciation the consultations undertaken by the Secretary-General to establish within the United Nations system a mechanism to ensure the implementation and overall co-ordination of relief programmes for internally displaced persons,

Convinced of the necessity to strengthen the capacity of the identified focal points within the United Nations system for the implementation and the overall co-ordination of relief programmes for internally displaced persons,

Noting with indignation that South Africa's policy of *apartheid* and its direct and indirect acts of aggression, intimidation and destabilization through armed terrorists continue to be the main causes of refugee flows and increasing displacement of persons in southern Africa,

Convinced also that there is an urgent need for the international community to extend maximum and concerted assistance to southern African countries sheltering refugees, returnees and displaced persons and also to highlight the plight of these persons,

1. *Takes note with satisfaction* of the report of the Secretary-General;

2. *Reaffirms* the need to continue the implementation of the Oslo Declaration and Plan of Action on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa[198] adopted by the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa, held at Oslo from 22 to 24 August 1988;

3. *Expresses its gratitude* to the countries and organizations that have given assistance to the countries of southern Africa to enable them to cope with the situation of refugees, returnees and displaced persons in their territories;

4. *Calls upon* the international community to provide increased assistance to the countries of southern Africa to enable them to strengthen their capacity to provide the necessary facilities and services for the care and well-being of the refugees, returnees and displaced persons in their territories;

5. *Reiterates its appreciation* to the Secretary-General for his efforts, on behalf of the international community, to organize and mobilize special programmes of economic assistance for the front-line and other neighbouring States to help them to withstand the effects of the acts of aggression and destabilization committed by the *apartheid* régime of South Africa;

6. *Notes with appreciation* the efforts made by the Secretary-General, the Office of the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme to implement the specific tasks and responsibilities assigned to them in the Oslo Declaration and Plan of Action, and encourages them to continue their efforts;

7. *Endorses* the recommendation of the Secretary-General aimed at assigning to the United Nations resident co-ordinators the function of co-ordinating assistance for internally displaced persons, in close co-operation with Governments, local representatives of donor countries and United Nations agencies in the field;

8. *Requests* the Secretary-General to strengthen the capacity of the identified focal points at the field level to enable them to respond more effectively to government requests for assistance to refugees and displaced persons;

9. *Once again urges* all Member States, organizations of the United Nations system and governmental and non-governmental organizations to undertake the measures required of them under the Oslo Declaration and Plan of Action;

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[196] E/CN.4/Sub.2/1989/32.

[197] A/45/480.

[198] A/43/717 and Corr.1 and Add.1.

10. *Decides* to consider this question at its forty-sixth session on the basis of a report to be submitted by the Secretary-General.

68th plenary meeting
14 December 1990

45/138. Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council resolution 1990/55 of 24 July 1990 on the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the note verbale dated 17 May 1990 from the Permanent Representative of the Philippines to the United Nations addressed to the Secretary-General[199] regarding the enlargement of the Executive Committee of the Programme of the High Commissioner,

1. *Decides* to increase the membership of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from forty-three to forty-four;

2. *Requests* the Economic and Social Council to elect the one additional member at its first regular session of 1991.

68th plenary meeting
14 December 1990

45/139. Emergency humanitarian assistance to Liberian refugees and displaced persons

The General Assembly,

Bearing in mind the civil strife that has in the past year ravaged the West African State of Liberia, decimated its population and forced thousands of Liberians to become refugees abroad or displaced persons within their own homeland,

Having considered the report of the United Nations High Commissioner for Refugees,[200] in which he asserts that developments in the West African subregion necessitate new emergency operations,

Deeply concerned about the mass exodus of innocent victims of the Liberian civil strife into neighbouring West African countries and the enormous burden that this movement has placed on the infrastructure and already insufficient resources of the West African countries concerned,

Aware that the majority of the refugees and displaced persons are women and children, who are particularly vulnerable to the hardship imposed on them by the unfortunate circumstances,

Noting the determined and sustained efforts being made by the Governments of the West African countries hardest hit by the crisis to cater to and restore faith and hope among the Liberian refugees in their countries,

1. *Expresses its appreciation* to the Secretary-General for having taken steps to encourage continued and concerted international action in favour of Liberian refugees and displaced persons;

2. *Acknowledges, with grateful appreciation,* the emergency humanitarian assistance provided by the United Nations High Commissioner for Refugees and the governmental and intergovernmental agencies to the thousands of Liberian refugees and displaced persons in the West African subregion;

3. *Appeals* to the organizations of the United Nations system, Member States and international and voluntary organizations, including non-governmental organizations in consultative status with the Economic and Social Council, to intensify urgent humanitarian and other assistance for the relief and rehabilitation of the victims of the Liberian civil strife taking refuge in neighbouring West African countries;

4. *Also appeals* to the organizations of the United Nations system, governmental and intergovernmental bodies, as well as non-governmental organizations, to provide the necessary material and financial assistance for the return and resettlement of the victims of the Liberian civil war;

5. *Requests* the High Commissioner to continue his efforts to mobilize additional resources necessary for the rehabilitation of Liberian refugees and displaced persons and to find a durable solution to the problem of Liberian refugees;

6. *Requests* the Secretary-General, in co-operation with the Office of the United Nations High Commissioner for Refugees, to report on the implementation of the present resolution to the General Assembly at its forty-sixth session.

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14 December 1990

45/140. Office of the United Nations High Commissioner for Refugees

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The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office,[200] as well as the report of the Executive Committee of the Programme of the High Commissioner on the work of its forty-first session,[201] noting the statement made by the Officer-in-Charge of the Office of the High Commissioner on 15 November 1990,[202] and having considered the report of the Secretary-General on the International Conference on Indo-Chinese Refugees,[203]

Recalling its resolutions 44/137 and 44/138 of 15 December 1989,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High

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[199] E/1990/89.

[200] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 12* (A/45/12).

[201] *Ibid., Supplement No. 12A* (A/45/12/Add.1).

[202] *Ibid., Forty-fifth Session, Third Committee,* 43rd meeting, and corrigendum.

[203] A/45/449.

Commissioner, as well as the fundamental importance of the High Commissioner's international protection function and the need for States to co-operate with the High Commissioner in the exercise of this primary and essential responsibility,

Noting with satisfaction that one hundred and seven States are now parties to the 1951 Convention[204] and/or the 1967 Protocol[205] relating to the Status of Refugees,

Welcoming the valuable support extended by Governments to the Office of the High Commissioner in carrying out its humanitarian tasks,

Noting with concern that refugee protection continues to be seriously jeopardized in many States, including through expulsion, *refoulement* and other threats to the physical security, dignity and well-being of refugees,

Commending the Office of the High Commissioner for its efforts to continue to address the special problems and needs of refugee and displaced women and children, who in many cases are exposed to a variety of difficult situations affecting their physical and legal protection as well as their psychological and material well-being,

Emphasizing the need for States to assist, on as wide a basis as possible, the efforts of the Office of the High Commissioner in its search for durable and timely solutions to the problems of refugees based on new approaches that meet the current size and characteristics of these problems and are built on respect for fundamental human rights and basic internationally agreed protection principles and concerns,

Aware of the need for the international community to continue to provide adequate resettlement opportunities for those refugees for whom no other durable solution is in sight,

Commending those States which, despite severe economic and development problems of their own, continue to admit large numbers of refugees and displaced persons of concern to the Office of the High Commissioner into their territories, and emphasizing the need to share the burden of these States to the maximum extent possible through international assistance, including development-oriented assistance,

Aware also that the application of the principle of international solidarity implies an improved sharing of responsibilities and arrangements between relevant agencies of the United Nations system and other concerned governmental and non-governmental organizations for the financing and implementation of related activities and that such activities need also include specific development assistance to avert new flows of refugees as well as to solve problems of refugees and returnees and areas hosting them,

Commending the Office of the High Commissioner and its staff for the dedicated manner in which they discharge their responsibilities, and paying tribute to those staff members who have endangered their lives in the course of their duties,

1. *Strongly reaffirms* the fundamental nature of the function of the Office of the United Nations High Commissioner for Refugees to provide international protection and the need for States to co-operate fully with the Office in fulfilling this function, in particular by acceding to and fully and effectively implementing the relevant international and regional refugee instruments;

2. *Recognizes* the urgent need to put all issues related to refugees, asylum-seekers and other migratory flows firmly on the international political agenda, especially in view of the fortieth anniversary of the Office of the High Commissioner and the 1951 Convention relating to the Status of Refugees, and in this connection welcomes initiatives to promote further awareness of and support for the Office, including accessions to this instrument;

3. *Calls upon* all States to refrain from taking measures that jeopardize the institution of asylum, in particular returning or expelling refugees and asylum-seekers contrary to fundamental prohibitions against these practices, and urges States to ensure proper determination procedures and to continue to give humane treatment and to grant asylum to refugees;

4. *Condemns* violations of the rights and safety of refugees and asylum-seekers, in particular those perpetrated by military or armed attacks on refugee camps and settlements, forced recruitment into armed forces and other forms of violence, and reiterates the conclusions on military and armed attacks on refugee camps and settlements adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its thirty-eighth session;[206]

5. *Calls upon* States to give high priority to the rights of refugee children and to their survival, protection and development as reflected in the Convention on the Rights of the Child[52] and in the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,[53] adopted by the World Summit for Children in New York on 30 September 1990;

6. *Endorses* the High Commissioner's policy on refugee women, which provides for the integration of refugee women into all the programmes of the Office of the High Commissioner, as well as the conclusion on refugee women and international protection adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session;[207]

7. *Urges* States, relevant agencies of the United Nations system and other international intergovernmental and non-governmental organizations to support the implementation of the policy on refugee women through their own efforts;

8. *Recognizes* the importance of attaining durable solutions to refugee problems and, in particular, the need to address in this process the root causes of refugee movements in order to avert new flows of refugees and to facilitate the solution of existing problems;

9. *Underlines* the concept of State responsibility particularly as it relates to the countries of origin, including addressing root causes and facilitating voluntary repatriation and the return of their nationals who are not refugees;

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[204] United Nations, *Treaty Series*, vol. 189, No. 2545.

[205] *Ibid.*, vol. 606, No. 8791.

[206] *Official Records of the General Assembly, Forty-second Session, Supplement No. 12A* (A/42/12/Add.1), para. 206.

[207] *Ibid.*, para. 23.

10. *Urges* all States to support the Office of the High Commissioner in its efforts to search for durable solutions to the problem of refugees and displaced persons of concern to the Office, primarily through voluntary repatriation or return, which remain the most desirable solution to the problem of refugees, or, wherever appropriate, through integration into countries of asylum or through resettlement in third countries;

11. *Welcomes* the decision of the Executive Committee of the Programme of the High Commissioner at its extraordinary session in May 1990 to adopt the report of the Temporary Working Group[208] established by the Executive Committee at its fortieth session, and calls upon all parties concerned to continue to implement the recommendations contained in that report;

12. *Endorses* the decisions on administrative and financial matters adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session,[209] and notes with satisfaction the efforts under way to find an appropriate mechanism that will address the need of the High Commissioner to have a higher degree of flexibility to ensure funding of ongoing needs under approved general programmes and of initial emergency needs under special programmes pending the receipt of contributions pledged;

13. *Calls upon* the High Commissioner to sustain his efforts in assuring greater inter-agency co-operation in responding to the needs of refugees and, in particular, in seeking to complement the humanitarian endeavours of the Office of the High Commissioner with development initiatives from specialized agencies so as to attain, in an effective and efficient manner, further and more concrete results towards achieving durable solutions, and calls upon the member Governments to support these efforts in the governing bodies of these agencies;

14. *Welcomes* Economic and Social Council resolution 1990/78 of 27 July 1990, in which, *inter alia*, the Council requested the Secretary-General, within existing resources, to initiate, with a view to recommending ways of maximizing co-operation and co-ordination among the various organizations of the United Nations system, a system-wide review to assess the experience and capacity of these organizations in the co-ordination of assistance to all refugees, displaced persons and returnees, and the full spectrum of their needs, in supporting the efforts of the affected countries, and to report on the results to the Economic and Social Council at its second regular session of 1991;

15. *Endorses* the conclusion on the note on international protection adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session,[210] in which, in particular, the Executive Committee recognized the importance of human rights and humanitarian principles and recognized that the current size and characteristics of the refugee and asylum problem necessitate appropriate reassessment of international responses to the problem to date, with a view to developing comprehensive approaches to meet present realities, and at the same time noted the difference between refugees and persons seeking to migrate for economic and related reasons;

16. *Also endorses*, with these objectives in mind, the conclusion on solutions and protection adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session,[211] in which the Executive Committee noted the establishment of the Working Group on Solutions and Protection, which will present a report to the Executive Committee at its forty-second session;

17. *Further endorses* the conclusions of the Executive Committee of the Programme of the High Commissioner at its forty-first session on the implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees[212] and on repatriation to Cambodia,[213] welcomes the decision of the Secretary-General to designate the High Commissioner as his Special Representative to co-ordinate efforts with all parties concerned to promote the phased and orderly return of non-refugees in a manner that is fully compatible with the humanitarian mandate of his Office and under conditions of safety and dignity, and requests the Secretary-General to continue to monitor closely the progress towards the implementation of these conclusions and to report to the General Assembly at its forty-sixth session;

18. *Endorses* the conclusions on the International Conference on Central American Refugees[214] and on the situation of refugees in Africa,[215] adopted by the Executive Committee of the Programme of the High Commissioner at its forty-first session, and calls upon the Office of the High Commissioner and all other parties concerned to continue their efforts in implementing these conclusions;

19. *Expresses deep appreciation* for the valuable material and humanitarian response of receiving countries, in particular those developing countries which, despite limited resources, continue to admit large numbers of refugees and asylum-seekers on a permanent or temporary basis;

20. *Urges* the international community, including non-governmental organizations, in accordance with the principle of international solidarity and in the spirit of burden-sharing, to continue to assist the countries referred to in paragraph 19 above and the High Commissioner in order to enable them to cope with the additional burden that the care for refugees and asylum-seekers represents;

21. *Calls upon* all Governments to contribute to the High Commissioner's programmes and, taking into account the need to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are met.

68th plenary meeting
14 December 1990

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[208] A/AC.96/742.

[209] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 12A* (A/45/12/Add.1), para. 29.

[210] *Ibid.*, para. 21.

[211] *Ibid.*, para. 22.

[212] *Ibid.*, para. 25.

[213] *Ibid.*, para. 26.

[214] *Ibid.*, para. 27.

[215] *Ibid.*, para. 28.

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The General Assembly,

Recalling its resolutions 1166 (XII) of 26 November 1957, 2956 B (XXVII) of 12 December 1972, 3271 B (XXIX) of 10 December 1974 and 35/41 B of 25 November 1980 in connection with the Emergency Fund of the United Nations High Commissioner for Refugees,

Noting with appreciation the work of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees in relation to the funding and administration of programmes and projects, including those aimed at responding to emergency situations,

Authorizes the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to determine in future the terms and conditions for the operation of the Emergency Fund of the United Nations High Commissioner for Refugees.

68th plenary meeting
14 December 1990

45/141. International Conference on Central American Refugees

The General Assembly,

Recalling its resolutions 42/1 of 7 October 1987, 42/110 of 7 December 1987, 42/204 of 11 December 1987, 42/231 of 12 May 1988, 43/118 of 8 December 1988 and 44/139 of 15 December 1989,

Recalling also that the International Conference on Central American Refugees is related to the initiative of the Central American Presidents expressed in the procedures for the establishment of a firm and lasting peace in Central America concluded at the Esquipulas II summit meeting in August 1987,[216] as indicated in the San Salvador communiqué on the Central American refugees, of 9 September 1988,[217]

Recognizing the importance and validity of the Declaration of the International Conference on Central American Refugees,[218] held at Guatemala City from 29 to 31 May 1989, and especially of the framework contained in the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, adopted by the Conference,[218]

Noting the establishment of the national and international follow-up mechanisms contemplated in the Concerted Plan of Action,

Taking into account that the Conference has become an integral part of the Special Plan of Economic Co-operation for Central America,[219] as referred to in General Assembly resolution 42/231, thus responding to the needs of refugees, returnees and displaced persons,

Recalling the important declarations of support for the Conference process and its objectives contained in the communiqués issued by the Central American Presidents following the summit meetings at Tela, Honduras, on 7 August 1989, Montelimar, Nicaragua, on 3 April 1990, and Antigua, Guatemala, on 17 June 1990; in General Assembly resolution 44/139 and in resolution 1021 (XIX-0/89) of the General Assembly of the Organization of American States; in the conclusion adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the Guatemala Declaration and the Concerted Plan of Action;[215] and, lastly, in the communiqué of the meeting between the Ministers for Foreign Affairs of the countries of the European Community and of Central America,[220] held at Dublin on 9 and 10 April 1990,

Noting the generous support provided by the countries participating in the First International Meeting of the Follow-Up Committee of the International Conference for the proposals presented at the Meeting by the Central American countries, Belize and Mexico,

Convinced that peace, development and democracy are essential in order to solve the problem of uprooted populations in the region,

Recognizing the valuable co-operation of the Secretary-General, the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme with the affected countries through the Joint Support Unit of the Conference to ensure the follow-up of the Concerted Plan of Action and the proper implementation of the objectives and proposals contained therein,

Noting with satisfaction the progress made in the region through dialogue and national reconciliation, which contribute to the consolidation of peace and the strengthening of democratic processes,

1. *Takes note* of the report of the Secretary-General[221] and the report of the United Nations High Commissioner for Refugees relating to the International Conference on Central American Refugees;[222]

2. *Welcomes with satisfaction* the meetings held by the Follow-Up Committee established by the Conference as the mechanism provided in the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, and encourages further meetings with a view to the effective follow-up of activities related to the implementation of plans and projects in favour of displaced persons of the Central American region;

3. *Recognizes* the efforts made by the affected countries to establish conditions conducive to resolving the problem of uprooted populations in the region;

4. *Urges* the affected countries, according to their capacities, to strengthen their efforts to deal with the problem of refugees, returnees and displaced persons and to adapt the solutions to national and regional development plans and programmes and to action aimed, specifically, at eradicating extreme poverty;

5. *Agrees* on the need for projects in favour of refugees, returnees and displaced persons to promote, *inter alia:*

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[216] A/42/521-S/19085, annex; see *Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987*, document S/19085.

[217] A/C.3/43/6, annex.

[218] See A/44/527 and Corr.1 and 2, annex.

[219] A/42/949, annex.

[220] A/44/944-S/21282, annex II.

[221] A/45/450.

[222] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 12* (A/45/12); and *ibid.,Supplement No. 12A* (A/45/12/Add.1), para. 27.

(*a*) The participation of women;

(*b*) The physical and intellectual development of children;

(*c*) The preservation of ethnic and cultural values;

(*d*) The protection of the environment;

6. *Reaffirms its conviction* that the voluntary repatriation of refugees and the return of displaced persons to their countries or communities of origin is one of the most positive signs of the progress of peace in the region;

7. *Expresses its conviction* that the process of return to and reintegration in the countries and communities of origin should take place in conditions of dignity and security and with the necessary guarantees to ensure that the affected populations are included in the respective national development plans;

8. *Reaffirms* the validity of the Concerted Plan of Action as a framework for solving the problems posed in the affected countries by the massive presence of uprooted populations of the Central American region, while recognizing that it constitutes only an initial response to the many problems to which uprootedness gives rise;

9. *Expresses its appreciation* for the resources committed to finance the proposals submitted by the Governments of Central America, Belize and Mexico at the First International Meeting of the Follow-Up Committee, and welcomes with satisfaction the willingness expressed by the Follow-Up Committee to give favourable consideration to future projects submitted by the affected countries within the Conference framework and to explore all possible sources for funding them;

10. *Stresses* in particular the need to support the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme in the discharge of the special function assigned to them by the Secretary-General within the framework of the International Support and Verification Commission in order to provide them with the resources required for assistance for and voluntary repatriation and reintegration of members of the Nicaraguan resistance and their families, as well as of the Nicaraguan refugees being repatriated voluntarily;

11. *Urges* Member States and organs, specialized agencies and other organizations of the United Nations system, as well as regional and subregional organizations and intergovernmental and non-governmental organizations involved in humanitarian tasks in favour of the Central American refugees, returnees and displaced persons, to continue and increase their assistance to and support for the responsible authorities of the affected countries in the implementation and follow-up of the guidelines, goals and objectives of the Concerted Plan of Action, and expresses its gratitude to all the national and international organizations engaged in assistance to the uprooted populations and in the development of the region;

12. *Requests* the Secretary-General, the Office of the High Commissioner and the United Nations Development Programme to continue their support for the affected countries in the implementation of the Concerted Plan of Action, especially through the activities of the Joint Support Unit of the Conference;

13. *Urges* the responsible authorities to continue and strengthen measures to ensure the efficient implementation of the proposed programmes;

14. *Stresses* the importance of strengthening and developing the follow-up and promotion mechanisms established under the Concerted Plan of Action, in particular the support groups, in order to ensure co-ordination and co-operation between all the parties involved, and calls upon the Governments of the region to take the necessary measures to facilitate this process;

15. *Recognizes* the importance of the role played by non-governmental organizations, as well as by the affected populations, in identifying their needs and participating in the planning and execution of projects in co-ordination with national committees and in accordance with the Concerted Plan of Action, and urges them to continue in this humanitarian and non-political endeavour;

16. *Requests* the Secretary-General, in collaboration with the High Commissioner, to submit to the General Assembly at its forty-sixth session a report on the implementation of the present resolution.

68th plenary meeting
14 December 1990

45/142. Report of the Committee against Torture and status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights[5] and article 7 of the International Covenant on Civil and Political Rights,[33] both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Recalling further its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called upon all Governments to consider signing and ratifying the Convention as a matter of priority, as well as its subsequent resolutions on the status of the Convention, most recently its resolution 44/144 of 15 December 1989, as well as the Commission on Human Rights resolutions on the subject, most recently resolution 1990/28 of 2 March 1990,[3]

Mindful of the relevance, for the eradication of torture and other cruel, inhuman or degrading treatment or punishment, of the Code of Conduct for Law Enforcement Officials[223] and of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,[224]

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[223] Resolution 34/169, annex.

[224] Resolution 37/194, annex.

Recalling the adoption of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[35]

Seriously concerned about the alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Determined to promote the full implementation of the prohibition, under international and national law, of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Taking note of the decision of the Commission on Human Rights, in its resolution 1990/34 of 2 March 1990 [3] to extend for two years the mandate of the Special Rapporteur to examine questions relevant to torture,

1. *Welcomes* the report of the Committee against Torture;[225]

2. *Takes note* of the report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[226]

3. *Stresses* the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture, thus enabling it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention, so as to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

4. *Welcomes* the attention that the Committee against Torture has given to the development of an effective system of reporting on the implementation of the Convention by States parties, and especially its revision of its general guidelines for the submission of initial reports by States parties;

5. *Welcomes also* the continuing close contacts and exchange of information, reports and documents between the Committee against Torture and the Special Rapporteur of the Commission on Human Rights on questions relating to torture;

6. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee against Torture;

7. *Reiterates its request* to all States to become parties to the Convention as a matter of priority;

8. *Once again invites* all States, upon ratification of or accession to the Convention, or subsequently, to consider the possibility of making the declarations provided for in articles 21 and 22 of the Convention;

9. *Also requests* the Secretary-General to submit to the Commission on Human Rights at its forty-seventh session and to the General Assembly at its forty-sixth session a report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

10. *Decides* to consider the report of the Secretary-General at its forty-sixth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

68th plenary meeting
14 December 1990

45/143. United Nations Voluntary Fund for Victims of Torture

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,[5] which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[227]

Recalling with satisfaction the entry into force on 26 June 1987 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[87]

Recalling its resolution 36/151 of 16 December 1981, in which it noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims of torture in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Alarmed at the widespread occurrence of torture and other cruel, inhuman or degrading treatment or punishment,

Convinced that the struggle to eliminate torture includes the provision of assistance in a humanitarian spirit to the victims and members of their families,

Taking note of the report of the Secretary-General,[228]

1. *Expresses its gratitude and appreciation* to the Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;

2. *Calls upon* all Governments, organizations and individuals in a position to do so to respond favourably to requests for initial as well as further contributions to the Fund;

3. *Invites* Governments to make contributions to the Fund, preferably on a regular basis, in order to enable the Fund to provide continuous support to projects that depend on recurrent grants;

4. *Expresses its appreciation* to the Governments that pledged a contribution to the Fund at the 1990 United Nations Pledging Conference for Development Activities;

5. *Requests* the Secretary-General to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

6. *Expresses its appreciation* to the Board of Trustees of the Fund for the work it has carried out;

7. *Also expresses its appreciation* to the Secretary-General for the support given to the Board of Trustees

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[225] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 44* and corrigendum (A/45/44 and Corr.1).

[226] A/45/405.

[227] Resolution 3452 (XXX), annex.

[228] A/45/633.

of the Fund by carrying out its decisions on an increasing number of projects;

8. *Requests* the Secretary-General to make use of all existing possibilities, including the preparation, production and dissemination of information materials, to assist the Board of Trustees of the Fund in its efforts to make the Fund and its humanitarian work better known and in its appeal for contributions.

68th plenary meeting
14 December 1990

45/144. Torture and inhuman treatment of children in detention in South Africa

The General Assembly,

Recalling its resolution 44/143 of 15 December 1989 and taking note of Commission on Human Rights resolution 1990/11 of 23 February 1990,[3]

Recalling also the relevant provisions of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[227] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[87] and the Declaration on the Rights of the Child,[85]

Welcoming the entry into force of the Convention on the Rights of the Child[52] and the results of the World Summit for Children, in particular the adoption on 30 September 1990 of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,[53]

Taking note of the report of the Secretary-General[229] and in particular of the condemnation expressed therein by the *Ad Hoc* Working Group of Experts on Southern Africa of the Commission on Human Rights with regard to the lack of government concern for the violation of the human rights of the children of South Africa in matters of freedom of movement and the right to education and health,[230]

1. *Expresses its profound outrage* at evidence of detention, torture and inhuman treatment of children in South Africa;

2. *Vigorously condemns* the *apartheid* racist régime for the continued detention, torture and inhuman treatment of children in South Africa;

3. *Reiterates its demand* for the immediate and unconditional release of all children held in detention by the *apartheid* régime in South Africa;

4. *Reiterates its appeal* to all relevant United Nations bodies, specialized agencies and non-governmental organizations to intensify the world-wide campaign aimed at drawing attention to, monitoring and exposing these inhuman practices;

5. *Requests* the Commission on Human Rights to continue to pay special attention to the question of detention, torture and other inhuman treatment of children in South Africa;

6. *Requests* the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

7. *Decides* to consider this question at its forty-sixth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

68th plenary meeting
14 December 1990

45/146. Implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

The General Assembly,

Recalling its resolutions 33/168 of 20 December 1978, 35/195 of 15 December 1980, 36/132 of 14 December 1981, 36/168 of 16 December 1981, 37/168 of 17 December 1982, 37/198 of 18 December 1982, 38/93 and 38/122 of 16 December 1983, 39/141 and 39/143 of 14 December 1984, 40/120, 40/121 and 40/122 of 13 December 1985, 41/125, 41/126 and 41/127 of 4 December 1986, 42/111, 42/112 and 42/113 of 7 December 1987, 43/120 of 8 December 1988 and 44/140 of 15 December 1989 and other relevant provisions,

Reaffirming the importance of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988[92] for improving international co-operation in that field and further strengthening the existing international instruments for the control of narcotic drugs and psychotropic substances, namely, the Single Convention on Narcotic Drugs of 1961,[231] and that Convention as amended by the 1972 Protocol,[232] and the Convention on Psychotropic Substances of 1971,[233]

Welcoming the entry into force of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 on 11 November 1990, the necessary number of ratifications and accessions having been reached,

Expressing its satisfaction with the work thus far done by the Division of Narcotic Drugs of the Secretariat relating to the establishment of various measures to assist States to become parties to the Convention and provisionally implement its provisions, as well as with the inclusion of legal and technical assistance to States to these ends in the programme of work of the Division for the biennium 1990-1991,

Taking note of the Political Declaration and the Global Programme of Action[234] adopted by the General Assembly at its seventeenth special session, held from 20 to 23 February 1990, as well as the Declaration of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, held in London from 9 to 11 April 1990,[235]

Bearing in mind the Ministerial Meeting on the Consumption, Production and Traffic of Illicit Drugs, held at Ixtapa, Mexico, from 17 to 20 April 1990,

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[229] A/45/615.

[230] *Ibid.*, para. 8 (para. 229 of the quoted text).

[231] United Nations, *Treaty Series*, vol. 520, No. 7515.

[232] *Ibid.*, vol. 976, No. 14152.

[233] *Ibid.*, vol. 1019, No. 14956.

[234] Resolution S-17/2, annex.

[235] A/45/262, annex.

Taking note of the report of the Commission on Narcotic Drugs on its eleventh special session,[236] held at Vienna from 29 January to 2 February 1990, and in particular of the measures adopted by this United Nations standard-setting body relating to the entry into force and the provisional application of the Convention,

1. *Urges* States that have not yet done so to proceed as soon as possible to ratify or accede to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, in order to make its provisions more universally effective;

2. *Also urges* States to establish the necessary legislative and administrative measures so that their internal juridical regulations may be compatible with the spirit and the scope of the Convention;

3. *Invites* States, to the extent that they are able to do so, to apply provisionally the measures set forth in the Convention, pending its entry into force for each of them, and, in particular, to bear in mind the advisory services available for this purpose from the Division of Narcotic Drugs of the Secretariat;

4. *Once again urges* all States that have not yet done so to ratify or accede to the Single Convention on Narcotic Drugs of 1961, and that Convention as amended by the 1972 Protocol, and the Convention on Psychotropic Substances of 1971;

5. *Requests* the Secretary-General to assign appropriate priority to providing the Division of Narcotic Drugs and the secretariat of the International Narcotics Control Board with the necessary financial, technical and human resources that would enable them to carry out their additional responsibilities under the Convention for the biennium 1990-1991 without prejudice to the provisions of any resolution authorizing a reform of the United Nations structure for international drug abuse control;

6. *Once again requests* the Secretary-General, within existing resources and drawing, in particular, on funds available to the Department of Public Information of the Secretariat, to provide, facilitate and encourage public information activities relating to the Convention;

7. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/147. Respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking

The General Assembly,

Conscious that the adoption of the Political Declaration and the Global Programme of Action[234] at the seventeenth special session of the General Assembly, devoted to the question of international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances, was an important step in the harmonization of the efforts of all to combat this scourge of mankind,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace,

Convinced that an intensification of international co-operation and concerted action among States is the fundamental basis for confronting the problem of drug abuse and illicit trafficking,

Recognizing that the international fight against illicit trafficking should be pursued in full conformity with the principles enshrined in the Charter of the United Nations, and the principles of international law, particularly respect for the sovereignty and territorial integrity of States, non-interference in the internal affairs of States, and non-use of force or the threat of force in international relations,

1. *Reaffirms* that the fight against drug abuse and illicit trafficking should continue to be based on strict respect for the principles enshrined in the Charter of the United Nations and international law, particularly respect for the sovereignty and territorial integrity of States, non-interference in the internal affairs of States, and non-use of force or the threat of force in international relations;

2. *Calls upon* all States to intensify their actions to promote effective co-operation in the efforts to combat drug abuse and illicit trafficking, so as to contribute to a climate conducive to achieving this end, and to refrain from using the issue for political purposes;

3. *Affirms* that the international fight against drug trafficking should not in any way justify violation of the principles enshrined in the Charter of the United Nations and international law, particularly the right of all peoples freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter;

4. *Invites* the Secretary-General to give due consideration to the principles set out in the present resolution in a report to the General Assembly at its forty-sixth session;

5. *Decides* to consider at its forty-sixth session the question of respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking, under the item entitled "International action to combat drug abuse and illicit trafficking".

69th plenary meeting
18 December 1990

45/148. Implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances

The General Assembly,

Recalling its resolutions 44/16 of 1 November 1989 and 44/141 of 15 December 1989, and taking note of

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[236] *Official Records of the Economic and Social Council, 1990, Supplement No. 4* (E/1990/24).

Economic and Social Council resolution 1990/84 of 27 July 1990,

Fully aware that the international community is confronted with the dramatic problem of drug abuse and the illicit cultivation, production, demand, processing, distribution and trafficking of narcotic drugs and psychotropic substances and that States need to work at the international level as well as individually to deal with this scourge,

Stressing the important role of the United Nations, its relevant bodies and the specialized agencies in the fight against drug abuse at the national, regional and international levels,

Recalling the Political Declaration and the Global Programme of Action adopted by the General Assembly at its seventeenth special session on 23 February 1990,[234]

Recognizing the continuing importance and validity of the Declaration[237] and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control,[238] as adopted by the International Conference on Drug Abuse and Illicit Trafficking, and the Declaration adopted at the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, held in London from 9 to 11 April 1990,[235]

1. *Reaffirms* the commitment expressed in the Global Programme of Action and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control;

2. *Calls upon* States to take all possible steps to promote and implement individually and in co-operation with others the mandates and recommendations contained in the Global Programme of Action, with a view to translating the Programme into practical action to the widest possible extent at the national, regional and international levels;

3. *Requests* the Commission on Narcotic Drugs and the United Nations drug control programme,[239] once established, to promote and continuously monitor the progress on the implementation of the Global Programme of Action;

4. *Requests* the Secretary-General to report annually to the General Assembly on all activities relating to the Global Programme of Action, including those of Governments;

5. *Calls upon* the United Nations and its relevant bodies and specialized agencies, other relevant intergovernmental organizations and non-governmental organizations to extend their co-operation and assistance to States in the promotion and implementation of the Global Programme of Action;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/149. International action to combat drug abuse and illicit trafficking

The General Assembly,

Deeply concerned that the illicit demand for, production of and traffic in narcotic drugs and psychotropic substances continue to pose a serious threat to all mankind, to affect adversely the socio-economic and political structures of affected societies and to endanger the stability, national security and sovereignty of States,

Alarmed by the growing connection between drug trafficking and terrorism,

Reaffirming the principle of the shared responsibility of the international community in combating drug abuse and illicit trafficking,

Reaffirming also the importance of international co-operation in the immediate implementation of all mandates and courses of action contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control,[238] adopted by the International Conference on Drug Abuse and Illicit Trafficking, and the Global Programme of Action,[234] adopted by the General Assembly at its seventeenth special session,

Taking note with interest of the reports of the Secretary-General,[240]

Welcoming the work of the Intergovernmental Expert Group to Study the Economic and Social Consequences of Illicit Traffic in Drugs, convened under General Assembly resolution 44/142 of 15 December 1989, on the impact of the social and economic consequences of drug-money transfers and conversion, which have an adverse effect on national economic systems,[241]

Having in mind that the Intergovernmental Expert Group proposed a framework for a future in-depth study on the economic and social consequences of illicit traffic in drugs,[241] for which reason the issue must be duly followed up,

Keeping in mind that the Secretary-General has taken note of the recommendations addressed to him by the Intergovernmental Expert Group, which will be considered in the context of the proposed programme of drug-control activities for the biennium 1992-1993,

Recognizing that the consideration by the Intergovernmental Expert Group of the financial aspects of its mandate was more extensive than that of the economic and social aspects, and that these latter areas require further and more detailed analysis,

Welcoming the efforts made by those countries which produce narcotic drugs for scientific, medicinal and therapeutic uses to prevent the channelling of such substances to illicit markets and to maintain production at a level consistent with licit demands,

Reiterating that the transit routes used by drug traffickers change constantly and that an ever-growing number of countries in all regions of the world, and even entire regions, are particularly vulnerable to illicit transit traffic on account, *inter alia,* of their geographical location,

Noting with regret that the work of the secretariat of the International Narcotics Control Board and of the

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[237] See *Report of the International Conference on Drug Abuse and Illicit Trafficking, Vienna, 17-26 June 1987* (United Nations publication, Sales No. E.87.I.18), chap. I, sect. B.

[238] *Ibid.*, sect. A.

[239] See resolution 45/179.

[240] A/45/535 and A/45/542.

[241] See A/C.3/45/8, annex.

Division of Narcotic Drugs of the Secretariat is impeded by lack of human and financial resources and affirming that this problem must be given due consideration in the context of the restructuring of the United Nations drug control system,

Reiterating its condemnation of criminal activities that involve children in the use, production and illicit distribution of narcotic drugs and psychotropic substances, and appealing to the competent international agencies and the United Nations Fund for Drug Abuse Control to assign priority to measures designed to address this problem,

Reaffirming that the Declaration adopted by the International Conference on Drug Abuse and Illicit Trafficking,[237] the Political Declaration adopted by the General Assembly at its seventeenth special session,[234] the Declaration of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, held in London from 9 to 11 April 1990,[235] and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and the Global Programme of Action, together with the international drug control treaties, provide a comprehensive framework for international co-operation in drug control,

Noting that in the Global Programme of Action the United Nations Fund for Drug Abuse Control is invited to elaborate for consideration by States a subregional strategy covering all aspects of drug abuse control and concentrating on the most affected areas where the problems are most complex and grave,[242]

Noting with satisfaction that the regional meetings of heads of national drug law enforcement agencies and the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East are sources of very useful recommendations for action at the regional level oriented towards solving specific problems of the various regions,

I

INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING

1. *Strongly condemns* the crime of drug trafficking in all its forms and urges continued commitment and effective international action to combat it, in keeping with the principle of shared responsibility and with full respect for national sovereignty and the cultural identity of States;

2. *Urges* Governments and organizations to adhere to the principles set forth in the Declaration adopted by the International Conference on Drug Abuse and Illicit Trafficking and the Political Declaration adopted by the General Assembly at its seventeenth special session, and to implement the recommendations and mandates contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and in the Global Programme of Action;

3. *Also urges* the immediate implementation of the mandates and recommendations contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and the Global Programme of Action, particularly those pertaining to, *inter alia*, demand reduction, treatment and social rehabilitation of drug addicts, eradication and substitution of illicit crops, integrated rural development, establishment of complementary employment, health, housing and education programmes, expanded opportunities for trade and investment, including international co-operation to facilitate the marketing of substitute crops, elimination of illicit trafficking, interdiction, supervision and control of precursors and essential chemicals, money-laundering and problems of licit producers;

4. *Welcomes* the establishment under the Commission on Narcotic Drugs of a world-wide network of regional meetings of heads of national drug law enforcement agencies, which, together with the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East, constitute co-operation mechanisms against illicit trafficking in narcotic drugs and psychotropic substances, and the convening in Moscow from 19 to 23 November 1990 of the First Meeting of Heads of National Drug Law Enforcement Agencies, European Region;

5. *Emphasizes* the connection between the illicit production and supply of, demand for, sale of and traffic in narcotic drugs and psychotropic substances and the economic, social and cultural conditions of the countries affected and that solutions to these problems must take into account the differences and diversity of the problem in each country;

6. *Calls upon* the international community to provide increased international economic and technical co-operation to Governments, at their request, in support of programmes for the substitution of illicit crops by means of integrated rural development programmes, respecting fully the jurisdiction and sovereignty of countries and the cultural traditions of peoples;

7. *Considers* that a system should be established to identify the methods and routes used for transit traffic of illicit narcotic drugs and psychotropic substances, in order to enhance the interdiction capability of States along such routes;

8. *Encourages* all countries to take action to prevent the illicit arms trade by which weapons are provided to drug traffickers;

9. *Takes note* of the recommendations and conclusions of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat,[235] notes all efforts designed to reduce and prevent the illicit demand for narcotic drugs and psychotropic substances and calls upon the United Nations and other relevant international organizations to devote greater attention to this aspect of the drug problem;

10. *Urges* Member States to increase substantially their voluntary contributions to the United Nations Fund for Drug Abuse Control to enable it to expand further its programmes;

11. *Welcomes* the initiatives of the United Nations Fund for Drug Abuse Control aimed at promoting and supporting subregional programmes as envisaged by the Global Programme of Action and urges the Gov-

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[242] See resolution S-17/2, annex, Global Programme of Action, para. 42.

ernments concerned to increase their co-operation in support of such subregional strategies;

12. *Strongly recommends* that the necessary resources from within the regular budget and from extrabudgetary sources be made available for the implementation of the various activities for drug abuse control, and particularly for the implementation of the mandates and courses of action contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control and the Global Programme of Action;

13. *Requests* the Commission on Narcotic Drugs to study the mandates and recommendations contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, the Global Programme of Action and other relevant documents, with a view to establishing a timetable for their implementation in the first five years of the United Nations Decade against Drug Abuse 1991-2000.[234]

II

ECONOMIC AND SOCIAL CONSEQUENCES OF ILLICIT TRAFFIC IN DRUGS AND PSYCHOTROPIC SUBSTANCES

1. *Requests* the Secretary-General to issue the report of the Intergovernmental Expert Group to Study the Economic and Social Consequences of Illicit Traffic in Drugs as a document of the forty-fifth session of the General Assembly[241] and to submit it to the Commission on Narcotic Drugs for consideration at its thirty-fifth session;

2. *Invites* the Commission on Narcotic Drugs to study the various recommendations and conclusions contained in the report of the Intergovernmental Expert Group, in particular those relating to the proposed framework for a future in-depth study on the economic and social consequences of illicit traffic in drugs, and to report thereon to the General Assembly at its forty-sixth session through the Economic and Social Council;

3. *Requests* the Secretary-General, in view of the provisional and preliminary nature of the study carried out by the Intergovernmental Expert Group, to consider the possibility of convening a meeting of an expert group to conclude the analysis commenced pursuant to paragraph 9 (*a*) of resolution 44/142, and to give due consideration to any recommendations made by the Commission on Narcotic Drugs;

4. *Notes with interest* the observation made by the Intergovernmental Expert Group that it is important for the United Nations to develop an integrated and unified information system to provide reliable data and information on the illicit drug trafficking chain, especially illicit production, manufacture, processing and consumption;[243]

5. *Invites* the Secretary-General to report to the General Assembly at its forty-sixth session on the measures to be adopted in implementation, in a timely manner, of the recommendations made by the Intergovernmental Expert Group, as well as the relevant recommendations made by the Commission on Narcotic Drugs;

6. *Requests* the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

7. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "International action to combat drug abuse and illicit trafficking".

69th plenary meeting
18 December 1990

45/150. Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Aware of its obligations under the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming the Universal Declaration of Human Rights,[5] which provides that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, that everyone has the right of equal access to public service in his or her country, that the will of the people shall be the basis of the authority of government, and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

Noting that the International Covenant on Civil and Political Rights[33] provides that every citizen shall have the right and the opportunity, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, and to have access, on general terms of equality, to public service in his or her country,

Condemning the system of *apartheid* and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the tricameral parliament established under the system of *apartheid* is a gross violation of the principle of universal and equal suffrage and has been overwhelmingly rejected by the international community,

Recalling that all States enjoy sovereign equality and that each State has the right freely to choose and develop its political, social, economic and cultural systems,

Recognizing that there is no single political system or electoral method that is equally suited to all nations and their people,

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[243] See A/C.3/45/8, annex, para. 24.

Taking note of the Secretary-General's observations concerning United Nations support for elections in Member States, as presented in his report on the work of the Organization,[244]

Recalling its resolutions 43/157 of 8 December 1988 and 44/146 of 15 December 1989, as well as Commission on Human Rights resolution 1989/51 of 7 March 1989,[183]

1. *Underscores* the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which establish that the authority to govern shall be based on the will of the people, as expressed in periodic and genuine elections;

2. *Stresses its conviction* that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights;

3. *Declares* that determining the will of the people requires an electoral process that provides an equal opportunity for all citizens to become candidates and put forward their political views, individually and in co-operation with others, as provided in national constitutions and laws;

4. *Recognizes* that the efforts of the international community to enhance the effectiveness of the principle of periodic and genuine elections should not call into question each State's sovereign right freely to choose and develop its political, social, economic and cultural systems, whether or not they conform to the preferences of other States;

5. *Underscores* the duty of each member of the international community to respect the decisions taken by other States in freely choosing and developing their electoral institutions;

6. *Reaffirms* that *apartheid* must be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections;

7. *Rejects* the tricameral parliament established under the system of *apartheid* as an abhorrent expression of a fundamentally oppressive and flagrantly inhuman political system;

8. *Affirms* the value of the electoral assistance that the United Nations has provided at the request of Member States, in the context of full respect for their sovereignty;

9. *Believes* that the international community should continue to give serious consideration to ways in which the United Nations can respond to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures;

10. *Requests* the Secretary-General to seek the views of Member States, specialized agencies, other competent bodies of the United Nations system and those with specific expertise in this area concerning suitable approaches that will permit the Organization to respond to the requests of Member States for electoral assistance;

11. *Also requests* the Secretary-General to report his findings to the General Assembly at its forty-sixth session, together with an account of United Nations experience in election monitoring, within existing resources;

12. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

69th plenary meeting
18 December 1990

45/151. Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purposes of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Also recalling its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

Further recalling the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the legitimacy of the struggle of the oppressed people of South Africa for the elimination of *apartheid* and for the establishment of a society in which all the people of South Africa as a whole, irrespective of race, colour or creed, will enjoy equal and full political and other rights and participate freely in the determination of their destiny,

Also reaffirming the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to decide freely on their own future,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Also recognizing that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

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[244] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 1* (A/45/1), sect. II.

Recalling its resolution 44/147 of 15 December 1989,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. *Affirms* that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitutional and national legislation;

3. *Also affirms* that any extraneous activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that intend to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations;

4. *Urges* all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social system;

5. *Strongly appeals* to all States to abstain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

6. *Condemns* any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

7. *Solemnly declares* that only the total eradication of *apartheid* and the establishment of a non-racial, democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and non-fragmented South Africa, can lead to a just and lasting solution to the explosive situation in South Africa;

8. *Reaffirms* the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social system, without external interference;

9. *Calls upon* the Commission on Human Rights, at its forty-seventh session, to give priority to the review of the fundamental factors that negatively affect the observance of the principle of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its forty-sixth session, through the Economic and Social Council;

10. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution under the item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

69th plenary meeting
18 December 1990

45/152. Status of the Convention on the Prevention and Punishment of the Crime of Genocide

The General Assembly,

Recalling its resolutions 40/142 of 13 December 1985, 41/147 of 4 December 1986, 42/133 of 7 December 1987, 43/138 of 8 December 1988 and 44/158 of 15 December 1989,

Recalling also Commission on Human Rights resolutions 1986/18 of 10 March 1986,[180] 1987/25 of 10 March 1987,[181] 1988/28 of 7 March 1988[182] and 1989/16 of 2 March 1989[183] and taking note of Commission resolution 1990/19 of 23 February 1990,[3]

Recalling further its resolution 260 A (III) of 9 December 1948, by which it approved and proposed for signature the Convention on the Prevention and Punishment of the Crime of Genocide annexed thereto,

Reaffirming once again its conviction that genocide is a crime that violates the norms of international law and runs counter to the spirit and aims of the United Nations,

Recognizing that crimes of genocide have caused great losses and privations to mankind throughout its history,

Expressing its conviction that strict observance of the provisions of the Convention by all countries is necessary for the prevention and punishment of the crime of genocide,

Taking note of the report of the Secretary-General,[245]

1. *Once again strongly condemns* the crime of genocide;

2. *Reaffirms* the necessity of international co-operation in order to liberate mankind from such an odious crime;

3. *Notes with satisfaction* that more than one hundred States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or have acceded thereto;

4. *Urges* those States which have not yet become parties to the Convention to ratify it or accede thereto without further delay;

5. *Invites* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the status of the Convention.

69th plenary meeting
18 December 1990

45/153. Human rights and mass exoduses

The General Assembly,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

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[245] A/45/404.

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject[246] and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,[247]

Aware of the recommendations concerning mass exoduses made by the Commission on Human Rights to its Sub-Commission on Prevention of Discrimination and Protection of Minorities and to special rapporteurs to be taken into account when studying violations of human rights in any part of the world,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

Stressing the need for international co-operation aimed at averting new massive flows of refugees while providing durable solutions to actual refugee situations,

Reaffirming its resolution 41/70 of 3 December 1986, in which it endorsed the conclusions and recommendations contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,

Bearing in mind its resolution 44/164 of 15 December 1989 and Commission on Human Rights resolution 1990/52 of 6 March 1990,[3] as well as all previous relevant resolutions of the General Assembly and the Commission on Human Rights,

Welcoming the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes,

Noting that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between observance of human rights standards, refugee movements and problems of protection,

1. *Reaffirms* its support for the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees that the principal organs of the United Nations should make fuller use of their respective competencies under the Charter of the United Nations for the prevention of new massive flows of refugees and displaced persons;

2. *Again invites* all Governments and intergovernmental and humanitarian organizations concerned to intensify their co-operation with and assistance to world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

3. *Requests* all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights, as this would contribute to averting new massive flows of refugees and displaced persons;

4. *Invites* the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to supporting the early-warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons;

5. *Takes note* of the establishment by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees of the Working Group on Solutions and Protection;[248]

6. *Also takes note* of the report of the Secretary-General on human rights and mass exoduses[249] and invites him to inform the General Assembly in future reports of the modalities of early-warning activities to avert new and massive flows of refugees;

7. *Welcomes* the report of the Joint Inspection Unit entitled "The co-ordination of activities related to early warning of possible refugee flows";[250]

8. *Specially encourages* the Secretary-General to continue to discharge the task described in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, including the continuous monitoring of all potential outflows, keeping in mind the recommendations of the Joint Inspection Unit;[251]

9. *Requests* the Secretary-General to intensify his efforts to develop the role of the Office for Research and the Collection of Information of the Secretariat as a focal point for the operation of an effective early-warning system and the strengthening of co-ordination of information-gathering and analysis among United Nations agencies with a view to preventing new massive flows of refugees and displaced persons;

10. *Urges* the Secretary-General to allocate the necessary resources to consolidate and strengthen the system for undertaking early-warning activities in the humanitarian area by, *inter alia,* the computerization of the Office for Research and the Collection of Information and strengthened co-ordination among the relevant parts of the United Nations system, especially the Office for Research and the Collection of Information, the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights of the Secretariat and the relevant specialized agencies;

11. *Requests* the Secretary-General to make the necessary information available to the competent United Nations organs, bearing in mind the recommendations of the Joint Inspection Unit;

12. *Invites* bodies of the United Nations system to consider the most expedient ways and means of following up the recommendations of the Joint Inspection Unit on co-ordination;[251]

13. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the strengthened role that he is playing with regard to early-warning activities, especially in the humanitarian area, as well as on any further developments relating to

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[246] E/CN.4/1503.

[247] A/41/324, annex.

[248] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 12A* (A/45/12/Add.1), sect. III.A.

[249] A/45/607.

[250] A/45/649 and Corr.1, annex.

[251] *Ibid.*, sect. VI.B.

the recommendations contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees;

14. *Invites* the Secretary-General to keep the General Assembly informed of the efforts to follow up recommendations of the Joint Inspection Unit;

15. *Decides* to continue consideration of the question of human rights and mass exoduses at its forty-sixth session.

69th plenary meeting
18 December 1990

45/154. Assistance to refugees in Somalia

The General Assembly,

Recalling its resolutions 35/180 of 15 December 1980, 36/153 of 16 December 1981, 37/174 of 17 December 1982, 38/88 of 16 December 1983, 39/104 of 14 November 1984, 40/132 of 13 December 1985, 41/138 of 4 December 1986, 42/127 of 7 December 1987, 43/147 of 8 December 1988 and 44/152 of 15 December 1989 on assistance to refugees in Somalia,

Having considered the report of the Secretary-General,[252]

Deeply concerned about the heavy burden that has been placed on the fragile economy of Somalia by the continuing presence of large numbers of refugees,

Noting with concern the decision taken by the Office of the United Nations High Commissioner for Refugees and the World Food Programme to suspend temporarily their food and other humanitarian assistance programmes for refugees in the north-west districts of Somalia, and the food shortages that have occurred in the refugee settlements as a result of the termination of the extraordinary interim emergency programme,

Considering the urgent need to reactivate the extraordinary interim emergency programme to alleviate hardship and human suffering of refugees in the affected north-west districts of Somalia,

Conscious of the fact that Somalia, as a least developed country, does not possess the economic or financial capacity to fill the gap created by the temporary suspension of humanitarian assistance programmes for refugees in the north-west districts of Somalia,

Aware of the fact that Somalia does not have the capacity to provide humanitarian assistance from its limited resources,

Noting with concern the deleterious effect of the presence of refugees on the environment, which has resulted in widespread deforestation, soil erosion and the threat of destruction to an already fragile ecological balance,

1. *Takes note* of the report of the Secretary-General;

2. *Commends* the measures that the Government of Somalia is taking to provide material and humanitarian assistance to refugees, in spite of its own limited resources and fragile economy;

3. *Expresses its appreciation* to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees in Somalia;

4. *Calls upon* the Office of the United Nations High Commissioner for Refugees and the World Food Programme to resume their assistance programmes for the refugees in the north-west districts of Somalia as soon as possible;

5. *Requests* the Secretary-General, in close co-operation with the Office of the High Commissioner, the World Food Programme and the donor community, to resume the interim assistance programme so as to ensure that essential food aid and other humanitarian supplies continue to reach the refugee settlements in the north-west districts of Somalia until such time as a more permanent arrangement can be made;

6. *Appeals once again* to Member States, international organizations and voluntary agencies to give full support to the Secretary-General in the implementation of the interim assistance programme;

7. *Reiterates its appeal* to Member States, international organizations and voluntary agencies to render maximum and timely material, financial and technical assistance to enable the Government of Somalia to implement the projects and activities identified in the report of the 1987 inter-agency mission annexed to the report of the Secretary-General[253] as the basis for a comprehensive programme of action concerned with both the humanitarian and the developmental needs of refugees;

8. *Requests* the pertinent organizations of the United Nations system, namely, the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund, as well as the United Nations Environment Programme and the World Food Programme, to prepare, in consultation with the Government of Somalia, detailed project documentation for the implementation of those projects and activities identified in the report of the Secretary-General[254] as priority endeavours for a comprehensive programme of action;

9. *Calls upon* the United Nations Development Programme, the United Nations Environment Programme, the United Nations Sudano-Sahelian Office and the Food and Agriculture Organization of the United Nations to continue and expand their activities in Somalia, in co-operation with the Government of Somalia, and to protect and rehabilitate its damaged environment;

10. *Recognizes* the important role that the non-governmental organizations are playing with regard to programmes for the care, maintenance and rehabilitation of refugees, particularly in activities related to small-scale development projects, and in the fields of health and agriculture;

11. *Requests* the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme to apprise the Economic and Social Council, at its second regular session of 1991, of the progress made in their respective

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[252] A/45/508.

[253] A/42/645.

[254] *Ibid.*, paras. 55-66.

fields of responsibility with regard to those provisions of the present resolution which concern them;

12. *Requests* the Secretary-General, in consultation with the High Commissioner and the United Nations Development Programme, to submit to the General Assembly at its forty-sixth session a report on the progress achieved in the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/155. World Conference on Human Rights

The General Assembly,

Mindful of the goal of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion, as set out in the Charter of the United Nations and the Universal Declaration of Human Rights,[5]

Recognizing that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of another,

Bearing in mind that all Member States have pledged themselves to achieve the promotion of universal respect for and observance of human rights and fundamental freedoms in conformity with relevant articles of the Charter,

Noting the progress made by the United Nations towards this goal and the fact that there are areas in which further progress should be made,

Noting also that violations of human rights and fundamental freedoms continue to occur,

Considering that, in view of the progress made, the problems that remain and the new challenges that lie ahead, it would be appropriate to conduct a review of what has been accomplished through the human rights programme and what remains to be done,

Recalling its resolution 44/156 of 15 December 1989, in which it requested the Secretary-General to seek the views of Governments, specialized agencies, non-governmental organizations and United Nations bodies concerned with human rights on the desirability of convening a world conference on human rights for the purpose of dealing at the highest level with the crucial questions facing the United Nations in connection with the promotion and protection of human rights,

Taking note of the report of the Secretary-General containing those views,[255]

Noting the expressions of support for the convening of a world conference on human rights from many Governments, specialized agencies and United Nations bodies concerned with human rights and from non-governmental organizations,

Noting also the many views concerning the importance of thorough advance preparation for the success of the conference,

Convinced that the holding of a world conference on human rights could make a significant contribution to the effectiveness of the actions of the United Nations and its Member States in the promotion and protection of human rights,

1. *Decides* to convene at a high level a World Conference on Human Rights in 1993 with the following objectives:

(*a*) To review and assess the progress that has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights and to identify obstacles to further progress in this area, and ways in which they can be overcome;

(*b*) To examine the relation between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights, recognizing the importance of creating the conditions whereby everyone may enjoy these rights as set out in the International Covenants on Human Rights;[33]

(*c*) To examine ways and means to improve the implementation of existing human rights standards and instruments;

(*d*) To evaluate the effectiveness of the methods and mechanisms used by the United Nations in the field of human rights;

(*e*) To formulate concrete recommendations for improving the effectiveness of United Nations activities and mechanisms in the field of human rights through programmes aimed at promoting, encouraging and monitoring respect for human rights and fundamental freedoms;

(*f*) To make recommendations for ensuring the necessary financial and other resources for United Nations activities in the promotion and protection of human rights and fundamental freedoms;

2. *Decides* to establish a Preparatory Committee for the World Conference on Human Rights, which shall be open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers, in accordance with the established practice of the General Assembly;

3. *Also decides* that the Preparatory Committee should have the mandate to make proposals for the consideration of the General Assembly regarding the agenda, date, duration, venue of and participation in the Conference, preparatory meetings and activities at the international, regional and national levels, which should take place in 1992, and on desirable studies and other documentation;

4. *Further decides* that the Preparatory Committee, at its first session, shall elect a five-member bureau composed of a chairman, three vice-chairmen and a rapporteur, with due regard to equitable geographic representation;

5. *Instructs* the Preparatory Committee to deal with the substantive preparations for the Conference in accordance with the goals and objectives set out in paragraph 1 above and bearing in mind the recommendations of the Commission on Human Rights at its forty-seventh session;

6. *Decides* that the Preparatory Committee shall hold a five-day session at Geneva in September 1991;

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[255] A/45/564 and Add.1.

7. *Also decides,* in accordance with its resolution 42/211 of 21 December 1987 and without prejudice to the overall level of resources adopted by the General Assembly for the biennium 1990-1991 and the proposed programme budget outline for the biennium 1992-1993, that the preparatory process and the Conference itself should be funded through the regular budget of the United Nations, without any implications for the programmes provided for under section 23 of the programme budget, and invites contributions of extrabudgetary resources to meet, *inter alia,* the cost of participation of representatives of least developed countries in the preparatory meetings and the Conference itself;

8. *Requests* the Commission on Human Rights to make recommendations to the Preparatory Committee on the above issues during those sessions that will take place prior to the Conference;

9. *Encourages* the Chairman of the Commission on Human Rights, the chairmen or other designated members of human rights expert bodies as well as special rapporteurs and chairmen or designated members of working groups to take part in the work of the Preparatory Committee;

10. *Requests* Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations and non-governmental organizations concerned with human rights to assist the Preparatory Committee and to undertake reviews and submit recommendations concerning the Conference and the preparations therefor to the Preparatory Committee through the Secretary-General and to participate actively in the Conference;

11. *Requests* the Secretary-General to submit to the Preparatory Committee a report on the contributions made pursuant to paragraphs 9 and 10 above;

12. *Also requests* the Secretary-General to appoint a Secretary-General for the Conference from within the Secretariat and to provide the Preparatory Committee with all necessary assistance;

13. *Requests* the Preparatory Committee to report to the General Assembly at its forty-sixth and forty-seventh sessions on the progress of its work.

69th plenary meeting
18 December 1990

45/156. Assistance to voluntary returnees and displaced persons in Chad

The General Assembly,

Recalling its resolution 44/153 of 15 December 1989 on assistance to voluntary returnees and displaced persons in Chad, as well as all its previous resolutions on this question,

Taking note of the report of the Secretary-General,[256]

Deeply concerned about the persistence of the natural disasters that are compounding the already precarious food situation in Chad,

Considering that the large number of voluntary returnees poses serious social and economic problems for the Government of Chad,

Bearing in mind the many appeals made by the Government of Chad for international assistance to the voluntary returnees and displaced persons in Chad,

1. *Endorses* the appeals made by the Government of Chad for humanitarian assistance to the voluntary returnees and displaced persons in Chad;

2. *Notes with satisfaction* the action taken by the various organizations of the United Nations system and the specialized agencies with a view to mobilizing humanitarian assistance to the voluntary returnees and displaced persons in Chad;

3. *Reiterates its appeal* to all States and intergovernmental and non-governmental organizations to provide the necessary assistance to the Government of Chad in the implementation of programmes for the repatriation and resettlement of returnees and displaced persons;

4. *Requests* the Secretary-General to mobilize food aid for the persons displaced as a result of natural disasters;

5. *Again requests* the United Nations High Commissioner for Refugees and the United Nations Disaster Relief Co-ordinator to mobilize humanitarian assistance to the voluntary returnees and displaced persons in Chad;

6. *Calls upon* the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees and the United Nations Disaster Relief Co-ordinator, to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/157. Humanitarian assistance to refugees and displaced persons in Djibouti

The General Assembly,

Recalling its resolution 44/150 of 15 December 1989 on humanitarian assistance to refugees and displaced persons in Djibouti, as well as all its previous resolutions on this question,

Having considered the report of the Secretary-General,[257]

Deeply concerned about the recent inflow of over fifty thousand externally displaced persons, which has added considerably to the burden already being carried by Djibouti in respect of refugees in the country,

Noting that Djibouti is considered one of the least developed countries and that the recent inflow of large numbers of externally displaced persons and the continued presence of refugees have severely strained the already inadequate social and economic infrastructure,

Noting also that the situation thus created has resulted in the dispersal of the country's scarce resources and their diversion from economic development to emergency relief and precautionary measures,

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[256] A/45/651.

[257] A/45/445.

Appreciating the determined and sustained efforts made by the Government of Djibouti to cope with the growing needs of refugees and externally displaced persons,

Noting with appreciation the steps taken by the Government of Djibouti, in close co-operation with the United Nations High Commissioner for Refugees, to implement appropriate and lasting solutions with respect to the refugees and externally displaced persons in Djibouti,

Also noting with appreciation that over seven thousand refugees have already been settled and integrated in Djibouti, despite the physical, social and economic obstacles that the country faces,

Appreciating the assistance provided by Member States, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies to relief and rehabilitation programmes for refugees and externally displaced persons,

1. *Takes note* of the report of the Secretary-General and appreciates the efforts of the United Nations High Commissioner for Refugees to keep the situation under constant review;

2. *Welcomes* the steps taken by the Government of Djibouti, in close co-operation with the High Commissioner, to implement appropriate and lasting solutions with respect to the refugees and externally displaced persons in Djibouti;

3. *Expresses its appreciation* to Member States, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies for their assistance to the relief and rehabilitation programmes for the refugees and externally displaced persons in Djibouti;

4. *Urges* the High Commissioner to intensify his efforts to mobilize, on an emergency basis, the resources necessary to implement lasting solutions with respect to the refugees in Djibouti and the increasing inflow of externally displaced persons;

5. *Calls upon* all Member States, the specialized agencies and other organizations of the United Nations system, and intergovernmental and non-governmental organizations to continue to support the determined and sustained efforts made by the Government of Djibouti to cope with the urgent needs of refugees and externally displaced persons and to implement lasting solutions as regards their situation;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/158. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The General Assembly,

Reaffirming once more the permanent validity of the principles and standards set forth in the basic instruments regarding the international protection of human rights, in particular in the Universal Declaration of Human Rights,[5] the International Covenants on Human Rights,[33] the International Convention on the Elimination of All Forms of Racial Discrimination[21] and the Convention on the Elimination of All Forms of Discrimination against Women,[44]

Bearing in mind the principles and standards established within the framework of the International Labour Organisation and the importance of the task carried out in connection with migrant workers and their families in other specialized agencies and in various organs of the United Nations,

Reiterating that in spite of the existence of an already established body of principles and standards, there is a need to make further efforts to improve the situation and ensure the human rights and dignity of all migrant workers and their families,

Recalling its resolution 34/172 of 17 December 1979, in which it decided to establish a working group open to all Member States to elaborate an international convention on the protection of the rights of all migrant workers and their families,

Recalling also its resolutions 35/198 of 15 December 1980, 36/160 of 16 December 1981, 37/170 of 17 December 1982, 38/86 of 16 December 1983, 39/102 of 14 December 1984, 40/130 of 13 December 1985, 41/151 of 4 December 1986, 42/140 of 7 December 1987, 43/146 of 8 December 1988 and 44/155 of 15 December 1989, by which it renewed the mandate of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and requested it to continue its work,

Having examined the report of the Working Group on its ninth inter-sessional meeting, held from 29 May to 8 June 1990,[258] with a view to completing the remaining articles and considering the results of the technical revision of the draft Convention entrusted to the Centre for Human Rights of the Secretariat in accordance with resolution 44/155,

Bearing in mind that the Working Group was able to achieve its goals in accordance with the mandate entrusted to it by the General Assembly,

1. *Expresses its appreciation* to the Working Group for having concluded the elaboration of the draft International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

2. *Adopts* and opens for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, contained in the annex to the present resolution;

3. *Calls upon* all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expresses the hope that it will enter into force at an early date;

4. *Requests* the Secretary-General to provide all facilities and assistance necessary for the dissemination of information on the Convention;

5. *Invites* United Nations agencies and organizations, as well as intergovernmental and non-governmental organizations, to intensify their efforts with a view to disseminating information on the Convention and to promoting understanding thereof;

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[258] A/C.3/45/1.

6. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the status of the Convention;

7. *Decides* to consider the report of the Secretary-General at its forty-sixth session under an item entitled "Implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families".

69th plenary meeting
18 December 1990

ANNEX

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

PREAMBLE

The States Parties to the present Convention,

Taking into account the principles embodied in the basic instruments of the United Nations concerning human rights, in particular the Universal Declaration of Human Rights,[5] the International Covenant on Economic, Social and Cultural Rights,[33] the International Covenant on Civil and Political Rights,[33] the International Convention on the Elimination of All Forms of Racial Discrimination,[21] the Convention on the Elimination of All Forms of Discrimination against Women[44] and the Convention on the Rights of the Child,[52]

Taking into account also the principles and standards set forth in the relevant instruments elaborated within the framework of the International Labour Organisation, especially the Convention concerning Migration for Employment (No. 97), the Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No. 143), the Recommendation concerning Migration for Employment (No. 86), the Recommendation concerning Migrant Workers (No. 151), the Convention concerning Forced or Compulsory Labour (No. 29) and the Convention concerning Abolition of Forced Labour (No. 105),

Reaffirming the importance of the principles contained in the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization,[259]

Recalling the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[87] the Declaration of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[260] the Code of Conduct for Law Enforcement Officials[223] and the Slavery Conventions,[261]

Recalling that one of the objectives of the International Labour Organisation, as stated in its Constitution, is the protection of the interests of workers when employed in countries other than their own, and bearing in mind the expertise and experience of that organization in matters related to migrant workers and members of their families,

Recognizing the importance of the work done in connection with migrant workers and members of their families in various organs of the United Nations, in particular in the Commission on Human Rights and the Commission for Social Development, and in the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, as well as in other international organizations,

Recognizing also the progress made by certain States on a regional or bilateral basis towards the protection of the rights of migrant workers and members of their families, as well as the importance and usefulness of bilateral and multilateral agreements in this field,

Realizing the importance and extent of the migration phenomenon, which involves millions of people and affects a large number of States in the international community,

Aware of the impact of the flows of migrant workers on States and people concerned, and desiring to establish norms which may contribute to the harmonization of the attitudes of States through the acceptance of basic principles concerning the treatment of migrant workers and members of their families,

Considering the situation of vulnerability in which migrant workers and members of their families frequently find themselves owing, among other things, to their absence from their State of origin and to the difficulties they may encounter arising from their presence in the State of employment,

Convinced that the rights of migrant workers and members of their families have not been sufficiently recognized everywhere and therefore require appropriate international protection,

Taking into account the fact that migration is often the cause of serious problems for the members of the families of migrant workers as well as for the workers themselves, in particular because of the scattering of the family,

Bearing in mind that the human problems involved in migration are even more serious in the case of irregular migration and convinced therefore that appropriate action should be encouraged in order to prevent and eliminate clandestine movements and trafficking in migrant workers, while at the same time assuring the protection of their fundamental human rights,

Considering that workers who are non-documented or in an irregular situation are frequently employed under less favourable conditions of work than other workers and that certain employers find this an inducement to seek such labour in order to reap the benefits of unfair competition,

Considering also that recourse to the employment of migrant workers who are in an irregular situation will be discouraged if the fundamental human rights of all migrant workers are more widely recognized and, moreover, that granting certain additional rights to migrant workers and members of their families in a regular situation will encourage all migrants and employers to respect and comply with the laws and procedures established by the States concerned,

Convinced, therefore, of the need to bring about the international protection of the rights of all migrant workers and members of their families, reaffirming and establishing basic norms in a comprehensive convention which could be applied universally,

Have agreed as follows:

PART I

SCOPE AND DEFINITIONS

Article 1

1. The present Convention is applicable, except as otherwise provided hereafter, to all migrant workers and members of their families without distinction of any kind such as sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

2. The present Convention shall apply during the entire migration process of migrant workers and members of their families, which comprises preparation for migration, departure, transit and the entire period of stay and remunerated activity in the State of employment as well as return to the State of origin or the State of habitual residence.

Article 2

For the purposes of the present Convention:

1. The term "migrant worker" refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.

2. (*a*) The term "frontier worker" refers to a migrant worker who retains his or her habitual residence in a neighbouring State to which he or she normally returns every day or at least once a week;

(*b*) The term "seasonal worker" refers to a migrant worker whose work by its character is dependent on seasonal conditions and is performed only during part of the year;

(*c*) The term "seafarer", which includes a fisherman, refers to a migrant worker employed on board a vessel registered in a State of which he or she is not a national;

(*d*) The term "worker on an offshore installation" refers to a migrant worker employed on an offshore installation that is under the jurisdiction of a State of which he or she is not a national;

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[259] United Nations, *Treaty Series,* vol. 429, No. 6193.

[260] See *Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Kyoto, Japan, 17-26 August 1970: report prepared by the Secretariat* (United Nations publication, Sales No. E.71.IV.8).

[261] See *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.88.XIV.1).

(*e*) The term "itinerant worker" refers to a migrant worker who, having his or her habitual residence in one State, has to travel to another State or States for short periods, owing to the nature of his or her occupation;

(*f*) The term "project-tied worker" refers to a migrant worker admitted to a State of employment for a defined period to work solely on a specific project being carried out in that State by his or her employer;

(*g*) The term "specified-employment worker" refers to a migrant worker:

(i) Who has been sent by his or her employer for a restricted and defined period of time to a State of employment to undertake a specific assignment or duty; or

(ii) Who engages for a restricted and defined period of time in work that requires professional, commercial, technical or other highly specialized skill; or

(iii) Who, upon the request of his or her employer in the State of employment, engages for a restricted and defined period of time in work whose nature is transitory or brief;

and who is required to depart from the State of employment either at the expiration of his or her authorized period of stay, or earlier if he or she no longer undertakes that specific assignment or duty or engages in that work;

(*h*) The term "self-employed worker" refers to a migrant worker who is engaged in a remunerated activity otherwise than under a contract of employment and who earns his or her living through this activity normally working alone or together with members of his or her family, and to any other migrant worker recognized as self-employed by applicable legislation of the State of employment or bilateral or multilateral agreements.

Article 3

The present Convention shall not apply to:

(*a*) Persons sent or employed by international organizations and agencies or persons sent or employed by a State outside its territory to perform official functions, whose admission and status are regulated by general international law or by specific international agreements or conventions;

(*b*) Persons sent or employed by a State or on its behalf outside its territory who participate in development programmes and other co-operation programmes, whose admission and status are regulated by agreement with the State of employment and who, in accordance with that agreement, are not considered migrant workers;

(*c*) Persons taking up residence in a State different from their State of origin as investors;

(*d*) Refugees and stateless persons, unless such application is provided for in the relevant national legislation of, or international instruments in force for, the State Party concerned;

(*e*) Students and trainees;

(*f*) Seafarers and workers on an offshore installation who have not been admitted to take up residence and engage in a remunerated activity in the State of employment.

Article 4

For the purposes of the present Convention the term "members of the family" refers to persons married to migrant workers or having with them a relationship that, according to applicable law, produces effects equivalent to marriage, as well as their dependent children and other dependent persons who are recognized as members of the family by applicable legislation or applicable bilateral or multilateral agreements between the States concerned.

Article 5

For the purposes of the present Convention, migrant workers and members of their families:

(*a*) Are considered as documented or in a regular situation if they are authorized to enter, to stay and to engage in a remunerated activity in the State of employment pursuant to the law of that State and to international agreements to which that State is a party;

(*b*) Are considered as non-documented or in an irregular situation if they do not comply with the conditions provided for in subparagraph (*a*) of the present article.

Article 6

For the purposes of the present Convention:

(*a*) The term "State of origin" means the State of which the person concerned is a national;

(*b*) The term "State of employment" means a State where the migrant worker is to be engaged, is engaged or has been engaged in a remunerated activity, as the case may be;

(*c*) The term "State of transit" means any State through which the person concerned passes on any journey to the State of employment or from the State of employment to the State of origin or the State of habitual residence.

PART II

NON-DISCRIMINATION WITH RESPECT TO RIGHTS

Article 7

States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

PART III

HUMAN RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

Article 8

1. Migrant workers and members of their families shall be free to leave any State, including their State of origin. This right shall not be subject to any restrictions except those that are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present part of the Convention.

2. Migrant workers and members of their families shall have the right at any time to enter and remain in their State of origin.

Article 9

The right to life of migrant workers and members of their families shall be protected by law.

Article 10

No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 11

1. No migrant worker or member of his or her family shall be held in slavery or servitude.

2. No migrant worker or member of his or her family shall be required to perform forced or compulsory labour.

3. Paragraph 2 of the present article shall not be held to preclude, in States where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court.

4. For the purpose of the present article the term "forced or compulsory labour" shall not include:

(*a*) Any work or service not referred to in paragraph 3 of the present article normally required of a person who is under detention in consequence of a lawful order of a court or of a person during conditional release from such detention;

(*b*) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;

(*c*) Any work or service that forms part of normal civil obligations so far as it is imposed also on citizens of the State concerned.

Article 12

1. Migrant workers and members of their families shall have the right to freedom of thought, conscience and religion. This right shall

include freedom to have or to adopt a religion or belief of their choice and freedom either individually or in community with others and in public or private to manifest their religion or belief in worship, observance, practice and teaching.

2. Migrant workers and members of their families shall not be subject to coercion that would impair their freedom to have or to adopt a religion or belief of their choice.

3. Freedom to manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.

4. States Parties to the present Convention undertake to have respect for the liberty of parents, at least one of whom is a migrant worker, and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Article 13

1. Migrant workers and members of their families shall have the right to hold opinions without interference.

2. Migrant workers and members of their families shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice.

3. The exercise of the right provided for in paragraph 2 of the present article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(*a*) For respect of the rights or reputation of others;

(*b*) For the protection of the national security of the States concerned or of public order (*ordre public*) or of public health or morals;

(*c*) For the purpose of preventing any propaganda for war;

(*d*) For the purpose of preventing any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

Article 14

No migrant worker or member of his or her family shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home, correspondence or other communications, or to unlawful attacks on his or her honour and reputation. Each migrant worker and member of his or her family shall have the right to the protection of the law against such interference or attacks.

Article 15

No migrant worker or member of his or her family shall be arbitrarily deprived of property, whether owned individually or in association with others. Where, under the legislation in force in the State of employment, the assets of a migrant worker or a member of his or her family are expropriated in whole or in part, the person concerned shall have the right to fair and adequate compensation.

Article 16

1. Migrant workers and members of their families shall have the right to liberty and security of person.

2. Migrant workers and members of their families shall be entitled to effective protection by the State against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions.

3. Any verification by law enforcement officials of the identity of migrant workers or members of their families shall be carried out in accordance with procedures established by law.

4. Migrant workers and members of their families shall not be subjected individually or collectively to arbitrary arrest or detention; they shall not be deprived of their liberty except on such grounds and in accordance with such procedures as are established by law.

5. Migrant workers and members of their families who are arrested shall be informed at the time of arrest as far as possible in a language they understand of the reasons for their arrest and they shall be promptly informed in a language they understand of any charges against them.

6. Migrant workers and members of their families who are arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that while awaiting trial they shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings and, should the occasion arise, for the execution of the judgement.

7. When a migrant worker or a member of his or her family is arrested or committed to prison or custody pending trial or is detained in any other manner:

(*a*) The consular or diplomatic authorities of his or her State of origin or of a State representing the interests of that State shall, if he or she so requests, be informed without delay of his or her arrest or detention and of the reasons therefor;

(*b*) The person concerned shall have the right to communicate with the said authorities. Any communication by the person concerned to the said authorities shall be forwarded without delay, and he or she shall also have the right to receive communications sent by the said authorities without delay;

(*c*) The person concerned shall be informed without delay of this right and of rights deriving from relevant treaties, if any, applicable between the States concerned, to correspond and to meet with representatives of the said authorities and to make arrangements with them for his or her legal representation.

8. Migrant workers and members of their families who are deprived of their liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of their detention and order their release if the detention is not lawful. When they attend such proceedings, they shall have the assistance, if necessary without cost to them, of an interpreter, if they cannot understand or speak the language used.

9. Migrant workers and members of their families who have been victims of unlawful arrest or detention shall have an enforceable right to compensation.

Article 17

1. Migrant workers and members of their families who are deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person and for their cultural identity.

2. Accused migrant workers and members of their families shall, save in exceptional circumstances, be separated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons. Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.

3. Any migrant worker or member of his or her family who is detained in a State of transit or in a State of employment for violation of provisions relating to migration, shall be held, in so far as practicable, separately from convicted persons or persons detained pending trial.

4. During any period of imprisonment in pursuance of a sentence imposed by a court of law, the essential aim of the treatment of a migrant worker or a member of his or her family shall be his or her reformation and social rehabilitation. Juvenile offenders shall be separated from adults and be accorded treatment appropriate to their age and legal status.

5. During detention or imprisonment, migrant workers and members of their families shall enjoy the same rights as nationals to visits by members of their families.

6. Whenever a migrant worker is deprived of his or her liberty, the competent authorities of the State concerned shall pay attention to the problems that may be posed for members of his or her family, in particular for spouses and minor children.

7. Migrant workers and members of their families who are subjected to any form of detention or imprisonment in accordance with the law in force in the State of employment or in the State of transit shall enjoy the same rights as nationals of those States who are in the same situation.

8. If a migrant worker or a member of his or her family is detained for the purpose of verifying any infraction of provisions related to migration, he or she shall not bear any costs arising therefrom.

Article 18

1. Migrant workers and members of their families shall have the right to equality with nationals of the State concerned before the courts and tribunals. In the determination of any criminal charge against them or of their rights and obligations in a suit of law, they shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

2. Migrant workers and members of their families who are charged with a criminal offence shall have the right to be presumed innocent until proven guilty according to law.

3. In the determination of any criminal charge against them, migrant workers and members of their families shall be entitled to the following minimum guarantees:

(*a*) To be informed promptly and in detail in a language they understand of the nature and cause of the charge against them;

(*b*) To have adequate time and facilities for the preparation of their defence and to communicate with counsel of their own choosing;

(*c*) To be tried without undue delay;

(*d*) To be tried in their presence and to defend themselves in person or through legal assistance of their own choosing; to be informed, if they do not have legal assistance, of this right; and to have legal assistance assigned to them, in any case where the interests of justice so require and without payment by them in any such case if they do not have sufficient means to pay;

(*e*) To examine or have examined the witnesses against them and to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses against them;

(*f*) To have the free assistance of an interpreter if they cannot understand or speak the language used in court;

(*g*) Not to be compelled to testify against themselves or to confess guilt.

4. In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

5. Migrant workers and members of their families convicted of a crime shall have the right to their conviction and sentence being reviewed by a higher tribunal according to law.

6. When a migrant worker or a member of his or her family has, by a final decision, been convicted of a criminal offence and when subsequently his or her conviction has been reversed or he or she has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to that person.

7. No migrant worker or member of his or her family shall be liable to be tried or punished again for an offence for which he or she has already been finally convicted or acquitted in accordance with the law and penal procedure of the State concerned.

Article 19

1. No migrant worker or member of his or her family shall be held guilty of any criminal offence on account of any act or omission that did not constitute a criminal offence under national or international law at the time when the criminal offence was committed, nor shall a heavier penalty be imposed than the one that was applicable at the time when it was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, he or she shall benefit thereby.

2. Humanitarian considerations related to the status of a migrant worker, in particular with respect to his or her right of residence or work, should be taken into account in imposing a sentence for a criminal offence committed by a migrant worker or a member of his or her family.

Article 20

1. No migrant worker or member of his or her family shall be imprisoned merely on the ground of failure to fulfil a contractual obligation.

2. No migrant worker or member of his or her family shall be deprived of his or her authorization of residence or work permit or expelled merely on the ground of failure to fulfil an obligation arising out of a work contract unless fulfilment of that obligation constitutes a condition for such authorization or permit.

Article 21

It shall be unlawful for anyone, other than a public official duly authorized by law, to confiscate, destroy or attempt to destroy identity documents, documents authorizing entry to or stay, residence or establishment in the national territory or work permits. No authorized confiscation of such documents shall take place without delivery of a detailed receipt. In no case shall it be permitted to destroy the passport or equivalent document of a migrant worker or a member of his or her family.

Article 22

1. Migrant workers and members of their families shall not be subject to measures of collective expulsion. Each case of expulsion shall be examined and decided individually.

2. Migrant workers and members of their families may be expelled from the territory of a State Party only in pursuance of a decision taken by the competent authority in accordance with law.

3. The decision shall be communicated to them in a language they understand. Upon their request where not otherwise mandatory, the decision shall be communicated to them in writing and, save in exceptional circumstances on account of national security, the reasons for the decision likewise stated. The persons concerned shall be informed of these rights before or at the latest at the time the decision is rendered.

4. Except where a final decision is pronounced by a judicial authority, the person concerned shall have the right to submit the reason he or she should not be expelled and to have his or her case reviewed by the competent authority, unless compelling reasons of national security require otherwise. Pending such review, the person concerned shall have the right to seek a stay of the decision of expulsion.

5. If a decision of expulsion that has already been executed is subsequently annulled, the person concerned shall have the right to seek compensation according to law and the earlier decision shall not be used to prevent him or her from re-entering the State concerned.

6. In case of expulsion, the person concerned shall have a reasonable opportunity before or after departure to settle any claims for wages and other entitlements due to him or her and any pending liabilities.

7. Without prejudice to the execution of a decision of expulsion, a migrant worker or a member of his or her family who is subject to such a decision may seek entry into a State other than his or her State of origin.

8. In case of expulsion of a migrant worker or a member of his or her family the costs of expulsion shall not be borne by him or her. The person concerned may be required to pay his or her own travel costs.

9. Expulsion from the State of employment shall not in itself prejudice any rights of a migrant worker or a member of his or her family acquired in accordance with the law of that State, including the right to receive wages and other entitlements due to him or her.

Article 23

Migrant workers and members of their families shall have the right to have recourse to the protection and assistance of the consular or diplomatic authorities of their State of origin or of a State representing the interests of that State whenever the rights recognized in the present Convention are impaired. In particular, in case of expulsion, the person concerned shall be informed of this right without delay and the authorities of the expelling State shall facilitate the exercise of such right.

Article 24

Every migrant worker and every member of his or her family shall have the right to recognition everywhere as a person before the law.

Article 25

1. Migrant workers shall enjoy treatment not less favourable than that which applies to nationals of the State of employment in respect of remuneration and:

(*a*) Other conditions of work, that is to say, overtime, hours of work, weekly rest, holidays with pay, safety, health, termination of the employment relationship and any other conditions of work which, according to national law and practice, are covered by this term;

(*b*) Other terms of employment, that is to say, minimum age of employment, restriction on home work and any other matters which, according to national law and practice, are considered a term of employment.

2. It shall not be lawful to derogate in private contracts of employment from the principle of equality of treatment referred to in paragraph 1 of the present article.

3. States Parties shall take all appropriate measures to ensure that migrant workers are not deprived of any rights derived from this principle by reason of any irregularity in their stay or employment. In particular, employers shall not be relieved of any legal or contractual obligations, nor shall their obligations be limited in any manner by reason of any such irregularity.

Article 26

1. States Parties recognize the right of migrant workers and members of their families:

(*a*) To take part in meetings and activities of trade unions and of any other associations established in accordance with law, with a view to protecting their economic, social, cultural and other interests, subject only to the rules of the organization concerned;

(*b*) To join freely any trade union and any such association as aforesaid, subject only to the rules of the organization concerned;

(*c*) To seek the aid and assistance of any trade union and of any such association as aforesaid.

2. No restrictions may be placed on the exercise of these rights other than those that are prescribed by law and which are necessary in a democratic society in the interests of national security, public order (*ordre public*) or the protection of the rights and freedoms of others.

Article 27

1. With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State and the applicable bilateral and multilateral treaties. The competent authorities of the State of origin and the State of employment can at any time establish the necessary arrangements to determine the modalities of application of this norm.

2. Where the applicable legislation does not allow migrant workers and members of their families a benefit, the States concerned shall examine the possibility of reimbursing interested persons the amount of contributions made by them with respect to that benefit on the basis of the treatment granted to nationals who are in similar circumstances.

Article 28

Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.

Article 29

Each child of a migrant worker shall have the right to a name, to registration of birth and to a nationality.

Article 30

Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned. Access to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of the child's stay in the State of employment.

Article 31

1. States Parties shall ensure respect for the cultural identity of migrant workers and members of their families and shall not prevent them from maintaining their cultural links with their State of origin.

2. States Parties may take appropriate measures to assist and encourage efforts in this respect.

Article 32

Upon the termination of their stay in the State of employment, migrant workers and members of their families shall have the right to transfer their earnings and savings and, in accordance with the applicable legislation of the States concerned, their personal effects and belongings.

Article 33

1. Migrant workers and members of their families shall have the right to be informed by the State of origin, the State of employment or the State of transit as the case may be concerning:

(*a*) Their rights arising out of the present Convention;

(*b*) The conditions of their admission, their rights and obligations under the law and practice of the State concerned and such other matters as will enable them to comply with administrative or other formalities in that State.

2. States Parties shall take all measures they deem appropriate to disseminate the said information or to ensure that it is provided by employers, trade unions or other appropriate bodies or institutions. As appropriate, they shall co-operate with other States concerned.

3. Such adequate information shall be provided upon request to migrant workers and members of their families, free of charge, and, as far as possible, in a language they are able to understand.

Article 34

Nothing in the present part of the Convention shall have the effect of relieving migrant workers and the members of their families from either the obligation to comply with the laws and regulations of any State of transit and the State of employment or the obligation to respect the cultural identity of the inhabitants of such States.

Article 35

Nothing in the present part of the Convention shall be interpreted as implying the regularization of the situation of migrant workers or members of their families who are non-documented or in an irregular situation or any right to such regularization of their situation, nor shall it prejudice the measures intended to ensure sound and equitable conditions for international migration as provided in part VI of the present Convention.

PART IV

OTHER RIGHTS OF MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES WHO ARE DOCUMENTED OR IN A REGULAR SITUATION

Article 36

Migrant workers and members of their families who are documented or in a regular situation in the State of employment shall enjoy the rights set forth in the present part of the Convention in addition to those set forth in part III.

Article 37

Before their departure, or at the latest at the time of their admission to the State of employment, migrant workers and members of their families shall have the right to be fully informed by the State of origin or the State of employment, as appropriate, of all conditions applicable to their admission and particularly those concerning their stay and the remunerated activities in which they may engage as well as of the requirements they must satisfy in the State of employment and the authority to which they must address themselves for any modification of those conditions.

Article 38

1. States of employment shall make every effort to authorize migrant workers and members of their families to be temporarily absent without effect upon their authorization to stay or to work, as the case may be. In doing so, States of employment shall take into account the special needs and obligations of migrant workers and members of their families, in particular in their States of origin.

2. Migrant workers and members of their families shall have the right to be fully informed of the terms on which such temporary absences are authorized.

Article 39

1. Migrant workers and members of their families shall have the right to liberty of movement in the territory of the State of employment and freedom to choose their residence there.

2. The rights mentioned in paragraph 1 of the present article shall not be subject to any restrictions except those that are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals, or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 40

1. Migrant workers and members of their families shall have the right to form associations and trade unions in the State of employment for the promotion and protection of their economic, social, cultural and other interests.

2. No restrictions may be placed on the exercise of this right other than those that are prescribed by law and are necessary in a democratic society in the interests of national security, public order (*ordre public*) or the protection of the rights and freedoms of others.

Article 41

1. Migrant workers and members of their families shall have the right to participate in public affairs of their State of origin and to vote and to be elected at elections of that State, in accordance with its legislation.

2. The States concerned shall, as appropriate and in accordance with their legislation, facilitate the exercise of these rights.

Article 42

1. States Parties shall consider the establishment of procedures or institutions through which account may be taken, both in States of origin and in States of employment, of special needs, aspirations and obligations of migrant workers and members of their families and shall envisage, as appropriate, the possibility for migrant workers and members of their families to have their freely chosen representatives in those institutions.

2. States of employment shall facilitate, in accordance with their national legislation, the consultation or participation of migrant workers and members of their families in decisions concerning the life and administration of local communities.

3. Migrant workers may enjoy political rights in the State of employment if that State, in the exercise of its sovereignty, grants them such rights.

Article 43

1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to:

(*a*) Access to educational institutions and services subject to the admission requirements and other regulations of the institutions and services concerned;

(*b*) Access to vocational guidance and placement services;

(*c*) Access to vocational training and retraining facilities and institutions;

(*d*) Access to housing, including social housing schemes, and protection against exploitation in respect of rents;

(*e*) Access to social and health services, provided that the requirements for participation in the respective schemes are met;

(*f*) Access to co-operatives and self-managed enterprises, which shall not imply a change of their migration status and shall be subject to the rules and regulations of the bodies concerned;

(*g*) Access to and participation in cultural life.

2. States Parties shall promote conditions to ensure effective equality of treatment to enable migrant workers to enjoy the rights mentioned in paragraph 1 of the present article whenever the terms of their stay, as authorized by the State of employment, meet the appropriate requirements.

3. States of employment shall not prevent an employer of migrant workers from establishing housing or social or cultural facilities for them. Subject to article 70 of the present Convention, a State of employment may make the establishment of such facilities subject to the requirements generally applied in that State concerning their installation.

Article 44

1. States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, shall take appropriate measures to ensure the protection of the unity of the families of migrant workers.

2. States Parties shall take measures that they deem appropriate and that fall within their competence to facilitate the reunification of migrant workers with their spouses or persons who have with the migrant worker a relationship that, according to applicable law, produces effects equivalent to marriage, as well as with their minor dependent unmarried children.

3. States of employment, on humanitarian grounds, shall favourably consider granting equal treatment, as set forth in paragraph 2 of the present article, to other family members of migrant workers.

Article 45

1. Members of the families of migrant workers shall, in the State of employment, enjoy equality of treatment with nationals of that State in relation to:

(*a*) Access to educational institutions and services, subject to the admission requirements and other regulations of the institutions and services concerned;

(*b*) Access to vocational guidance and training institutions and services, provided that requirements for participation are met;

(*c*) Access to social and health services, provided that requirements for participation in the respective schemes are met;

(*d*) Access to and participation in cultural life.

2. States of employment shall pursue a policy, where appropriate in collaboration with the States of origin, aimed at facilitating the integration of children of migrant workers in the local school system, particularly in respect of teaching them the local language.

3. States of employment shall endeavour to facilitate for the children of migrant workers the teaching of their mother tongue and culture and, in this regard, States of origin shall collaborate whenever appropriate.

4. States of employment may provide special schemes of education in the mother tongue of children of migrant workers, if necessary in collaboration with the States of origin.

Article 46

Migrant workers and members of their families shall, subject to the applicable legislation of the States concerned, as well as relevant international agreements and the obligations of the States concerned arising out of their participation in customs unions, enjoy exemption from import and export duties and taxes in respect of their personal and household effects as well as the equipment necessary to engage in the remunerated activity for which they were admitted to the State of employment:

(*a*) Upon departure from the State of origin or State of habitual residence;

(*b*) Upon initial admission to the State of employment;

(*c*) Upon final departure from the State of employment;

(*d*) Upon final return to the State of origin or State of habitual residence.

Article 47

1. Migrant workers shall have the right to transfer their earnings and savings, in particular those funds necessary for the support of their families, from the State of employment to their State of origin or any other State. Such transfers shall be made in conformity with procedures established by applicable legislation of the State concerned and in conformity with applicable international agreements.

2. States concerned shall take appropriate measures to facilitate such transfers.

Article 48

1. Without prejudice to applicable double taxation agreements, migrant workers and members of their families shall, in the matter of earnings in the State of employment:

(*a*) Not be liable to taxes, duties or charges of any description higher or more onerous than those imposed on nationals in similar circumstances;

(*b*) Be entitled to deductions or exemptions from taxes of any description and to any tax allowances applicable to nationals in similar circumstances, including tax allowances for dependent members of their families.

2. States Parties shall endeavour to adopt appropriate measures to avoid double taxation of the earnings and savings of migrant workers and members of their families.

Article 49

1. Where separate authorizations to reside and to engage in employment are required by national legislation, the States of employment shall issue to migrant workers authorization of residence for at least the same period of time as their authorization to engage in remunerated activity.

2. Migrant workers who in the State of employment are allowed freely to choose their remunerated activity shall neither be regarded as in an irregular situation nor shall they lose their authorization of residence by the mere fact of the termination of their remunerated activity prior to the expiration of their work permits or similar authorizations.

3. In order to allow migrant workers referred to in paragraph 2 of the present article sufficient time to find alternative remunerated activities, the authorization of residence shall not be withdrawn at least for a period corresponding to that during which they may be entitled to unemployment benefits.

Article 50

1. In the case of death of a migrant worker or dissolution of marriage, the State of employment shall favourably consider granting family members of that migrant worker residing in that State on the basis of family reunion an authorization to stay; the State of employment shall take into account the length of time they have already resided in that State.

2. Members of the family to whom such authorization is not granted shall be allowed before departure a reasonable period of time in order to enable them to settle their affairs in the State of employment.

3. The provisions of paragraphs 1 and 2 of the present article may not be interpreted as adversely affecting any right to stay and work otherwise granted to such family members by the legislation of the State of employment or by bilateral and multilateral treaties applicable to that State.

Article 51

Migrant workers who in the State of employment are not permitted freely to choose their remunerated activity shall neither be regarded as in an irregular situation nor shall they lose their authorization of residence by the mere fact of the termination of their remunerated activity prior to the expiration of their work permit, except where the authorization of residence is expressly dependent upon the specific remunerated activity for which they were admitted. Such migrant workers shall have the right to seek alternative employment, participation in public work schemes and retraining during the remaining period of their authorization to work, subject to such conditions and limitations as are specified in the authorization to work.

Article 52

1. Migrant workers in the State of employment shall have the right freely to choose their remunerated activity, subject to the following restrictions or conditions.

2. For any migrant worker a State of employment may:

(*a*) Restrict access to limited categories of employment, functions, services or activities where this is necessary in the interests of this State and provided for by national legislation;

(*b*) Restrict free choice of remunerated activity in accordance with its legislation concerning recognition of occupational qualifications acquired outside its territory. However, States Parties concerned shall endeavour to provide for recognition of such qualifications.

3. For migrant workers whose permission to work is limited in time, a State of employment may also:

(*a*) Make the right freely to choose their remunerated activities subject to the condition that the migrant worker has resided lawfully in its territory for the purpose of remunerated activity for a period of time prescribed in its national legislation that should not exceed two years;

(*b*) Limit access by a migrant worker to remunerated activities in pursuance of a policy of granting priority to its nationals or to persons who are assimilated to them for these purposes by virtue of legislation or bilateral or multilateral agreements. Any such limitation shall cease to apply to a migrant worker who has resided lawfully in its territory for the purpose of remunerated activity for a period of time prescribed in its national legislation that should not exceed five years.

4. States of employment shall prescribe the conditions under which a migrant worker who has been admitted to take up employment may be authorized to engage in work on his or her own account. Account shall be taken of the period during which the worker has already been lawfully in the State of employment.

Article 53

1. Members of a migrant worker's family who have themselves an authorization of residence or admission that is without limit of time or is automatically renewable shall be permitted freely to choose their remunerated activity under the same conditions as are applicable to the said migrant worker in accordance with article 52 of the present Convention.

2. With respect to members of a migrant worker's family who are not permitted freely to choose their remunerated activity, States Parties shall consider favourably granting them priority in obtaining permission to engage in a remunerated activity over other workers who seek admission to the State of employment, subject to applicable bilateral and multilateral agreements.

Article 54

1. Without prejudice to the terms of their authorization of residence or their permission to work and the rights provided for in articles 25 and 27 of the present Convention, migrant workers shall enjoy equality of treatment with nationals of the State of employment in respect of:

(*a*) Protection against dismissal;

(*b*) Unemployment benefits;

(*c*) Access to public work schemes intended to combat unemployment;

(*d*) Access to alternative employment in the event of loss of work or termination of other remunerated activity, subject to article 52 of the present Convention.

2. If a migrant worker claims that the terms of his or her work contract have been violated by his or her employer, he or she shall have the right to address his or her case to the competent authorities

of the State of employment, on terms provided for in article 18, paragraph 1, of the present Convention.

Article 55

Migrant workers who have been granted permission to engage in a remunerated activity, subject to the conditions attached to such permission, shall be entitled to equality of treatment with nationals of the State of employment in the exercise of that remunerated activity.

Article 56

1. Migrant workers and members of their families referred to in the present part of the Convention may not be expelled from a State of employment, except for reasons defined in the national legislation of that State, and subject to the safeguards established in part III.

2. Expulsion shall not be resorted to for the purpose of depriving a migrant worker or a member of his or her family of the rights arising out of the authorization of residence and the work permit.

3. In considering whether to expel a migrant worker or a member of his or her family, account should be taken of humanitarian considerations and of the length of time that the person concerned has already resided in the State of employment.

PART V

PROVISIONS APPLICABLE TO PARTICULAR CATEGORIES OF MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

Article 57

The particular categories of migrant workers and members of their families specified in the present part of the Convention who are documented or in a regular situation shall enjoy the rights set forth in part III and, except as modified below, the rights set forth in part IV.

Article 58

1. Frontier workers, as defined in article 2, paragraph 2 (*a*), of the present Convention, shall be entitled to the rights provided for in part IV that can be applied to them by reason of their presence and work in the territory of the State of employment, taking into account that they do not have their habitual residence in that State.

2. States of employment shall consider favourably granting frontier workers the right freely to choose their remunerated activity after a specified period of time. The granting of that right shall not affect their status as frontier workers.

Article 59

1. Seasonal workers, as defined in article 2, paragraph 2 (*b*), of the present Convention, shall be entitled to the rights provided for in part IV that can be applied to them by reason of their presence and work in the territory of the State of employment and that are compatible with their status in that State as seasonal workers, taking into account the fact that they are present in that State for only part of the year.

2. The State of employment shall, subject to paragraph 1 of the present article, consider granting seasonal workers who have been employed in its territory for a significant period of time the possibility of taking up other remunerated activities and giving them priority over other workers who seek admission to that State, subject to applicable bilateral and multilateral agreements.

Article 60

Itinerant workers, as defined in article 2, paragraph 2 (*e*), of the present Convention, shall be entitled to the rights provided for in part IV that can be granted to them by reason of their presence and work in the territory of the State of employment and that are compatible with their status as itinerant workers in that State.

Article 61

1. Project-tied workers, as defined in article 2, paragraph 2 (*f*), of the present Convention, and members of their families shall be entitled to the rights provided for in part IV except the provisions of article 43, paragraphs 1 (*b*) and (*c*), article 43, paragraph 1 (*d*), as it pertains to social housing schemes, article 45, paragraph 1 (*b*), and articles 52 to 55.

2. If a project-tied worker claims that the terms of his or her work contract have been violated by his or her employer, he or she shall have the right to address his or her case to the competent authorities of the State which has jurisdiction over that employer, on terms provided for in article 18, paragraph 1, of the present Convention.

3. Subject to bilateral or multilateral agreements in force for them, the States Parties concerned shall endeavour to enable project-tied workers to remain adequately protected by the social security systems of their States of origin or habitual residence during their engagement in the project. States Parties concerned shall take appropriate measures with the aim of avoiding any denial of rights or duplication of payments in this respect.

4. Without prejudice to the provisions of article 47 of the present Convention and to relevant bilateral or multilateral agreements, States Parties concerned shall permit payment of the earnings of project-tied workers in their State of origin or habitual residence.

Article 62

1. Specified-employment workers, as defined in article 2, paragraph 2 (*g*), of the present Convention, shall be entitled to the rights provided for in part IV, except the provisions of article 43, paragraphs 1 (*b*) and (*c*), article 43, paragraph 1 (*d*), as it pertains to social housing schemes, article 52, and article 54, paragraph 1 (*d*).

2. Members of the families of specified-employment workers shall be entitled to the rights relating to family members of migrant workers provided for in part IV of the present Convention, except the provisions of article 53.

Article 63

1. Self-employed workers, as defined in article 2, paragraph 2 (*h*), of the present Convention, shall be entitled to the rights provided for in part IV with the exception of those rights which are exclusively applicable to workers having a contract of employment.

2. Without prejudice to articles 52 and 79 of the present Convention, the termination of the economic activity of the self-employed workers shall not in itself imply the withdrawal of the authorization for them or for the members of their families to stay or to engage in a remunerated activity in the State of employment except where the authorization of residence is expressly dependent upon the specific remunerated activity for which they were admitted.

PART VI

PROMOTION OF SOUND, EQUITABLE, HUMANE AND LAWFUL CONDITIONS IN CONNECTION WITH INTERNATIONAL MIGRATION OF WORKERS AND MEMBERS OF THEIR FAMILIES

Article 64

1. Without prejudice to article 79 of the present Convention, the States Parties concerned shall as appropriate consult and co-operate with a view to promoting sound, equitable and humane conditions in connection with international migration of workers and members of their families.

2. In this respect, due regard shall be paid not only to labour needs and resources, but also to the social, economic, cultural and other needs of migrant workers and members of their families involved, as well as to the consequences of such migration for the communities concerned.

Article 65

1. States Parties shall maintain appropriate services to deal with questions concerning international migration of workers and members of their families. Their functions shall include, *inter alia:*

(*a*) The formulation and implementation of policies regarding such migration;

(*b*) An exchange of information, consultation and co-operation with the competent authorities of other States Parties involved in such migration;

(*c*) The provision of appropriate information, particularly to employers, workers and their organizations on policies, laws and regulations relating to migration and employment, on agreements concluded with other States concerning migration and on other relevant matters;

(*d*) The provision of information and appropriate assistance to migrant workers and members of their families regarding requisite authorizations and formalities and arrangements for departure, travel, arrival, stay, remunerated activities, exit and return, as well as on conditions of work and life in the State of employment and on customs, currency, tax and other relevant laws and regulations.

2. States Parties shall facilitate as appropriate the provision of adequate consular and other services that are necessary to meet the so-

cial, cultural and other needs of migrant workers and members of their families.

Article 66

1. Subject to paragraph 2 of the present article, the right to undertake operations with a view to the recruitment of workers for employment in another State shall be restricted to:

(*a*) Public services or bodies of the State in which such operations take place;

(*b*) Public services or bodies of the State of employment on the basis of agreement between the States concerned;

(*c*) A body established by virtue of a bilateral or multilateral agreement.

2. Subject to any authorization, approval and supervision by the public authorities of the States Parties concerned as may be established pursuant to the legislation and practice of those States, agencies, prospective employers or persons acting on their behalf may also be permitted to undertake the said operations.

Article 67

1. States Parties concerned shall co-operate as appropriate in the adoption of measures regarding the orderly return of migrant workers and members of their families to the State of origin when they decide to return or their authorization of residence or employment expires or when they are in the State of employment in an irregular situation.

2. Concerning migrant workers and members of their families in a regular situation, States Parties concerned shall co-operate as appropriate, on terms agreed upon by those States, with a view to promoting adequate economic conditions for their resettlement and to facilitating their durable social and cultural reintegration in the State of origin.

Article 68

1. States Parties, including States of transit, shall collaborate with a view to preventing and eliminating illegal or clandestine movements and employment of migrant workers in an irregular situation. The measures to be taken to this end within the jurisdiction of each State concerned shall include:

(*a*) Appropriate measures against the dissemination of misleading information relating to emigration and immigration;

(*b*) Measures to detect and eradicate illegal or clandestine movements of migrant workers and members of their families and to impose effective sanctions on persons, groups or entities which organize, operate or assist in organizing or operating such movements;

(*c*) Measures to impose effective sanctions on persons, groups or entities which use violence, threats or intimidation against migrant workers or members of their families in an irregular situation.

2. States of employment shall take all adequate and effective measures to eliminate employment in their territory of migrant workers in an irregular situation, including, whenever appropriate, sanctions on employers of such workers. The rights of migrant workers *vis-à-vis* their employer arising from employment shall not be impaired by these measures.

Article 69

1. States Parties shall, when there are migrant workers and members of their families within their territory in an irregular situation, take appropriate measures to ensure that such a situation does not persist.

2. Whenever States Parties concerned consider the possibility of regularizing the situation of such persons in accordance with applicable national legislation and bilateral or multilateral agreements, appropriate account shall be taken of the circumstances of their entry, the duration of their stay in the States of employment and other relevant considerations, in particular those relating to their family situation.

Article 70

States Parties shall take measures not less favourable than those applied to nationals to ensure that working and living conditions of migrant workers and members of their families in a regular situation are in keeping with the standards of fitness, safety, health and principles of human dignity.

Article 71

1. States Parties shall facilitate, whenever necessary, the repatriation to the State of origin of the bodies of deceased migrant workers or members of their families.

2. As regards compensation matters relating to the death of a migrant worker or a member of his or her family, States Parties shall, as appropriate, provide assistance to the persons concerned with a view to the prompt settlement of such matters. Settlement of these matters shall be carried out on the basis of applicable national law in accordance with the provisions of the present Convention and any relevant bilateral or multilateral agreements.

PART VII

APPLICATION OF THE CONVENTION

Article 72

1. (*a*) For the purpose of reviewing the application of the present Convention, there shall be established a Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (hereinafter referred to as "the Committee");

(*b*) The Committee shall consist, at the time of entry into force of the present Convention, of ten and, after the entry into force of the Convention for the forty-first State Party, of fourteen experts of high moral standing, impartiality and recognized competence in the field covered by the Convention.

2. (*a*) Members of the Committee shall be elected by secret ballot by the States Parties from a list of persons nominated by the States Parties, due consideration being given to equitable geographical distribution, including both States of origin and States of employment, and to the representation of the principal legal systems. Each State Party may nominate one person from among its own nationals;

(*b*) Members shall be elected and shall serve in their personal capacity.

3. The initial election shall be held no later than six months after the date of the entry into force of the present Convention and subsequent elections every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to all States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties that have nominated them, and shall submit it to the States Parties not later than one month before the date of the corresponding election, together with the curricula vitae of the persons thus nominated.

4. Elections of members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the States Parties present and voting.

5. (*a*) The members of the Committee shall serve for a term of four years. However, the terms of five of the members elected in the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting of States Parties;

(*b*) The election of the four additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of the present article, following the entry into force of the Convention for the forty-first State Party. The term of two of the additional members elected on this occasion shall expire at the end of two years; the names of these members shall be chosen by lot by the Chairman of the meeting of States Parties;

(*c*) The members of the Committee shall be eligible for re-election if renominated.

6. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party that nominated the expert shall appoint another expert from among its own nationals for the remaining part of the term. The new appointment is subject to the approval of the Committee.

7. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee.

8. The members of the Committee shall receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide.

9. The members of the Committee shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.[262]

Article 73

1. States Parties undertake to submit to the Secretary-General of the United Nations for consideration by the Committee a report on the legislative, judicial, administrative and other measures they have taken to give effect to the provisions of the present Convention:

(*a*) Within one year after the entry into force of the Convention for the State Party concerned;

(*b*) Thereafter every five years and whenever the Committee so requests.

2. Reports prepared under the present article shall also indicate factors and difficulties, if any, affecting the implementation of the Convention and shall include information on the characteristics of migration flows in which the State Party concerned is involved.

3. The Committee shall decide any further guidelines applicable to the content of the reports.

4. States Parties shall make their reports widely available to the public in their own countries.

Article 74

1. The Committee shall examine the reports submitted by each State Party and shall transmit such comments as it may consider appropriate to the State Party concerned. This State Party may submit to the Committee observations on any comment made by the Committee in accordance with the present article. The Committee may request supplementary information from States Parties when considering these reports.

2. The Secretary-General of the United Nations shall, in due time before the opening of each regular session of the Committee, transmit to the Director-General of the International Labour Office copies of the reports submitted by States Parties concerned and information relevant to the consideration of these reports, in order to enable the Office to assist the Committee with the expertise the Office may provide regarding those matters dealt with by the present Convention that fall within the sphere of competence of the International Labour Organisation. The Committee shall consider in its deliberations such comments and materials as the Office may provide.

3. The Secretary-General of the United Nations may also, after consultation with the Committee, transmit to other specialized agencies, as well as to intergovernmental organizations, copies of such parts of these reports as may fall within their competence.

4. The Committee may invite the specialized agencies and organs of the United Nations, as well as intergovernmental organizations and other concerned bodies, to submit, for consideration by the Committee, written information on such matters dealt with in the present Convention as fall within the scope of their activities.

5. The International Labour Office shall be invited by the Committee to appoint representatives to participate, in a consultative capacity, in the meetings of the Committee.

6. The Committee may invite representatives of other specialized agencies and organs of the United Nations, as well as of intergovernmental organizations, to be present and to be heard in its meetings whenever matters falling within their field of competence are considered.

7. The Committee shall present an annual report to the General Assembly of the United Nations on the implementation of the present Convention, containing its own considerations and recommendations, based, in particular, on the examination of the reports and any observations presented by States Parties.

8. The Secretary-General of the United Nations shall transmit the annual reports of the Committee to the States Parties to the present Convention, the Economic and Social Council, the Commission on Human Rights of the United Nations, the Director-General of the International Labour Office and other relevant organizations.

Article 75

1. The Committee shall adopt its own rules of procedure.

2. The Committee shall elect its officers for a term of two years.

3. The Committee shall normally meet annually.

4. The meetings of the Committee shall normally be held at United Nations Headquarters.

Article 76

1. A State Party to the present Convention may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Convention. Communications under this article may be received and considered only if submitted by a State Party that has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration. Communications received under this article shall be dealt with in accordance with the following procedure:

(*a*) If a State Party to the present Convention considers that another State Party is not fulfilling its obligations under the present Convention, it may, by written communication, bring the matter to the attention of that State Party. The State Party may also inform the Committee of the matter. Within three months after the receipt of the communication the receiving State shall afford the State that sent the communication an explanation, or any other statement in writing clarifying the matter which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending or available in the matter;

(*b*) If the matter is not adjusted to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State;

(*c*) The Committee shall deal with a matter referred to it only after it has ascertained that all available domestic remedies have been invoked and exhausted in the matter, in conformity with the generally recognized principles of international law. This shall not be the rule where, in the view of the Committee, the application of the remedies is unreasonably prolonged;

(*d*) Subject to the provisions of subparagraph (*c*) of the present paragraph, the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of the respect for the obligations set forth in the present Convention;

(*e*) The Committee shall hold closed meetings when examining communications under the present article;

(*f*) In any matter referred to it in accordance with subparagraph (*b*) of the present paragraph, the Committee may call upon the States Parties concerned, referred to in subparagraph (*b*), to supply any relevant information;

(*g*) The States Parties concerned, referred to in subparagraph (*b*) of the present paragraph, shall have the right to be represented when the matter is being considered by the Committee and to make submissions orally and/or in writing;

(*h*) The Committee shall, within twelve months after the date of receipt of notice under subparagraph (*b*) of the present paragraph, submit a report, as follows:

- (i) If a solution within the terms of subparagraph (*d*) of the present paragraph is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;
- (ii) If a solution within the terms of subparagraph (*d*) is not reached, the Committee shall, in its report, set forth the relevant facts concerning the issue between the States Parties concerned. The written submissions and record of the oral submissions made by the States Parties concerned shall be attached to the report. The Committee may also communicate only to the States Parties concerned any views that it may consider relevant to the issue between them.

In every matter, the report shall be communicated to the States Parties concerned.

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[262] Resolution 22 A (I).

2. The provisions of the present article shall come into force when ten States Parties to the present Convention have made a declaration under paragraph 1 of the present article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter that is the subject of a communication already transmitted under the present article; no further communication by any State Party shall be received under the present article after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party concerned has made a new declaration.

Article 77

1. A State Party to the present Convention may at any time declare under the present article that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim that their individual rights as established by the present Convention have been violated by that State Party. No communication shall be received by the Committee if it concerns a State Party that has not made such a declaration.

2. The Committee shall consider inadmissible any communication under the present article which is anonymous or which it considers to be an abuse of the right of submission of such communications or to be incompatible with the provisions of the present Convention.

3. The Committee shall not consider any communications from an individual under the present article unless it has ascertained that:

(*a*) The same matter has not been, and is not being, examined under another procedure of international investigation or settlement;

(*b*) The individual has exhausted all available domestic remedies; this shall not be the rule where, in the view of the Committee, the application of the remedies is unreasonably prolonged or is unlikely to bring effective relief to that individual.

4. Subject to the provisions of paragraph 2 of the present article, the Committee shall bring any communications submitted to it under this article to the attention of the State Party to the present Convention that has made a declaration under paragraph 1 and is alleged to be violating any provisions of the Convention. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

5. The Committee shall consider communications received under the present article in the light of all information made available to it by or on behalf of the individual and by the State Party concerned.

6. The Committee shall hold closed meetings when examining communications under the present article.

7. The Committee shall forward its views to the State Party concerned and to the individual.

8. The provisions of the present article shall come into force when ten States Parties to the present Convention have made declarations under paragraph 1 of the present article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter that is the subject of a communication already transmitted under the present article; no further communication by or on behalf of an individual shall be received under the present article after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party has made a new declaration.

Article 78

The provisions of article 76 of the present Convention shall be applied without prejudice to any procedures for settling disputes or complaints in the field covered by the present Convention laid down in the constituent instruments of, or in conventions adopted by, the United Nations and the specialized agencies and shall not prevent the States Parties from having recourse to any procedures for settling a dispute in accordance with international agreements in force between them.

PART VIII

GENERAL PROVISIONS

Article 79

Nothing in the present Convention shall affect the right of each State Party to establish the criteria governing admission of migrant workers and members of their families. Concerning other matters related to their legal situation and treatment as migrant workers and members of their families, States Parties shall be subject to the limitations set forth in the present Convention.

Article 80

Nothing in the present Convention shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with in the present Convention.

Article 81

1. Nothing in the present Convention shall affect more favourable rights or freedoms granted to migrant workers and members of their families by virtue of:

(*a*) The law or practice of a State Party; or

(*b*) Any bilateral or multilateral treaty in force for the State Party concerned.

2. Nothing in the present Convention may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act that would impair any of the rights and freedoms as set forth in the present Convention.

Article 82

The rights of migrant workers and members of their families provided for in the present Convention may not be renounced. It shall not be permissible to exert any form of pressure upon migrant workers and members of their families with a view to their relinquishing or forgoing any of the said rights. It shall not be possible to derogate by contract from rights recognized in the present Convention. States Parties shall take appropriate measures to ensure that these principles are respected.

Article 83

Each State Party to the present Convention undertakes:

(*a*) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(*b*) To ensure that any person seeking such a remedy shall have his or her claim reviewed and decided by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(*c*) To ensure that the competent authorities shall enforce such remedies when granted.

Article 84

Each State Party undertakes to adopt the legislative and other measures that are necessary to implement the provisions of the present Convention.

PART IX

FINAL PROVISIONS

Article 85

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 86

1. The present Convention shall be open for signature by all States. It is subject to ratification.

2. The present Convention shall be open to accession by any State.

3. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

Article 87

1. The present Convention shall enter into force on the first day of the month following a period of three months after the date of the deposit of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the present Convention after its entry into force, the Convention shall enter into force on the first day of the month following a period of three months after the date of the deposit of its own instrument of ratification or accession.

Article 88

A State ratifying or acceding to the present Convention may not exclude the application of any Part of it, or, without prejudice to article 3, exclude any particular category of migrant workers from its application.

Article 89

1. Any State Party may denounce the present Convention, not earlier than five years after the Convention has entered into force for the State concerned, by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. Such denunciation shall become effective on the first day of the month following the expiration of a period of twelve months after the date of the receipt of the notification by the Secretary-General of the United Nations.

3. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Convention in regard to any act or omission which occurs prior to the date at which the denunciation becomes effective, nor shall denunciation prejudice in any way the continued consideration of any matter which is already under consideration by the Committee prior to the date at which the denunciation becomes effective.

4. Following the date at which the denunciation of a State Party becomes effective, the Committee shall not commence consideration of any new matter regarding that State.

Article 90

1. After five years from the entry into force of the Convention a request for the revision of the Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that within four months from the date of such communication at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting shall be submitted to the General Assembly for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties in accordance with their respective constitutional processes.

3. When amendments come into force, they shall be binding on those States Parties that have accepted them, other States Parties still being bound by the provisions of the present Convention and any earlier amendment that they have accepted.

Article 91

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of signature, ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 92

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention that is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of the present article. The other States Parties shall not be bound by that paragraph with respect to any State Party that has made such a declaration.

3. Any State Party that has made a declaration in accordance with paragraph 2 of the present article may at any time withdraw that declaration by notification to the Secretary-General of the United Nations.

Article 93

1. The present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Convention to all States.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

45/159. Assistance to refugees and displaced persons in Malawi

The General Assembly,

Recalling its resolutions 42/132 of 7 December 1987, 43/148 of 8 December 1988 and 44/149 of 15 December 1989 on assistance to refugees and displaced persons in Malawi,

Having considered the report of the Secretary-General,[263]

Having examined that part of the report of the United Nations High Commissioner for Refugees[200] that deals with the situation of refugees and displaced persons in Malawi,

Gravely concerned about the continuing serious social and economic impact of the massive presence of refugees and displaced persons, as well as its far-reaching consequences for the country's long-term development process,

Appreciating the important measures that the Government of Malawi is taking in order to provide shelter, protection, food, education and health and other humanitarian services to thousands of refugees and displaced persons,

Recognizing the heavy burden placed on the people and Government of Malawi and the sacrifices they are making in caring for the refugees and displaced persons, given the country's limited social services and infrastructure, and the need for adequate international assistance to enable them to continue their efforts to provide assistance to the refugees and displaced persons,

Expressing its appreciation for the assistance rendered by Member States, the various organizations of the United Nations system, the Office of the United Nations High Commissioner for Refugees and other international, intergovernmental and non-governmental organizations in support of the refugee programme in Malawi,

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[263] A/45/444.

Bearing in mind the findings and recommendations of the inter-agency mission to Malawi,[264] particularly on the need to strengthen the country's socio-economic infrastructure in order to enable it to provide for the immediate humanitarian relief requirements of the refugees and displaced persons, as well as the long-term national development needs of the country,

Recognizing the need to view refugee-related development projects within local and national development plans,

1. *Takes note* of the report of the Secretary-General;

2. *Commends* the measures that the Government of Malawi is taking to provide material and humanitarian assistance to refugees and displaced persons, in spite of the serious economic situation it faces, and stresses the need for additional resources to lessen the impact of the presence of refugees and displaced persons on the country's long-term development process;

3. *Expresses its appreciation* to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees and displaced persons in Malawi;

4. *Expresses grave concern* at the serious and far-reaching consequences of the massive presence of refugees and displaced persons in the country and its implications for the long-term socio-economic development of the whole country;

5. *Appeals* to Member States, the appropriate organs, organizations and bodies of the United Nations system, intergovernmental and non-governmental organizations and the international financial institutions to continue providing the Government of Malawi with the necessary resources for the implementation of development assistance projects in regions affected by the presence of refugees and displaced persons, as well as for the development programmes now being implemented;

6. *Requests* the Secretary-General to continue his efforts to mobilize the necessary financial and material assistance for the full implementation of ongoing projects in the areas affected by the presence of refugees and displaced persons and for programmes now being implemented;

7. *Requests* the High Commissioner to continue coordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees and displaced persons in their settlements;

8. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/160. Situation of refugees in the Sudan

The General Assembly,

Recalling its resolution 44/151 of 15 December 1989 and its other previous resolutions on the situation of refugees in the Sudan,

Having considered the report of the Secretary-General[265] and the report of the United Nations High Commissioner for Refugees,[200]

Expressing its appreciation for the efforts made by the Government of the Sudan for the reception of the refugees and the provision of protection, shelter, food, education and health and other humanitarian services to the ever-increasing number of refugees who have been crossing the borders into the Sudan since the early 1960s,

Recognizing the heavy burden shouldered by the people and the Government of the Sudan and the sacrifices they are making to host more than one million refugees, who constitute approximately 7.5 per cent of the total population of the country,

Deeply concerned that the great majority of the refugees have settled of their own accord in various urban and rural communities throughout the country and are thus sharing with the indigenous population the already meagre resources and services,

Expressing grave concern at the devastating and far-reaching effects of the successive calamities, ranging from the drought in 1984 to the torrential rains and floods and locust infestations in 1988 and the drought and food shortage of 1990, that have afflicted the country, thus exacerbating the already deteriorating situation resulting from the presence of this great number of refugees,

Gravely concerned also that the Government of the Sudan, besides dealing with the difficult prevailing economic and social problems, has the additional task of taking care of more than 3.7 million persons displaced by successive calamities and civil strife in the south,

Recognizing the efforts undertaken by the Government of the Sudan to initiate a wide-ranging rehabilitation programme to redress the damages incurred by the natural disasters,

Considering those serious circumstances, which render the Government of the Sudan less prepared than ever to meet its obligations to its own people, and the more serious consequences, which affect the capacity of the Government of the Sudan to receive and grant asylum to additional numbers of refugees,

Expressing its appreciation for the assistance rendered by Member States and intergovernmental and non-governmental organizations in support of the refugee programme in the Sudan,

1. *Takes note* of the report of the Secretary-General;

2. *Takes note also* of the report of the United Nations High Commissioner for Refugees and, in particular, of the new trends identified in the area of refugee aid and development;

3. *Expresses its appreciation* to the Secretary-General, the High Commissioner, donor countries and in-

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[264] See A/43/536, sect. III.

[265] A/45/446.

tergovernmental and non-governmental organizations for their efforts to assist the refugees in the Sudan;

4. *Expresses grave concern* at the serious and far-reaching consequences of the presence of massive numbers of refugees on the security and stability of the country and the overall negative impact on its basic infrastructure and socio-economic development;

5. *Also expresses grave concern* at the shrinking resources available for refugee programmes in the Sudan and the serious consequences of this situation on the country's ability to continue to host and assist refugees;

6. *Appeals* to Member States, the appropriate organs, organizations and bodies of the United Nations system, intergovernmental and non-governmental organizations and the international financial institutions to provide the Government of the Sudan with the necessary resources for the implementation of development assistance projects, in particular those prepared by the United Nations Development Programme, in the regions affected by the presence of refugees;

7. *Requests* the Secretary-General to mobilize the necessary financial and material assistance for the full implementation of ongoing projects in the areas affected by the presence of refugees;

8. *Requests* the High Commissioner to continue co-ordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees in their settlements and to explore ways and means to extend assistance to refugees who have settled of their own accord elsewhere;

9. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/161. Assistance to refugees and returnees in Ethiopia

The General Assembly,

Recalling all its resolutions, in particular resolution 44/154 of 15 December 1989, as well as all those of the Economic and Social Council, on assistance to displaced persons in Ethiopia,

Taking note of the report of the Secretary-General,[266]

Having considered the report of the United Nations High Commissioner for Refugees,[200]

Recognizing the increasing number of refugees and voluntary returnees in Ethiopia,

Deeply concerned about the massive presence of refugees and voluntary returnees in the country and the enormous burden this has placed on the country's infrastructure and meagre resources,

Deeply concerned also about the grave consequences this has entailed for the country's capability to grapple with the effects of the prolonged drought,

Aware of the heavy burden placed on the Government of Ethiopia and of the need for adequate assistance to refugees, voluntary returnees and victims of natural disasters,

1. *Commends* the Office of the United Nations High Commissioner for Refugees and intergovernmental organizations and voluntary agencies for their assistance in mitigating the plight of the large number of refugees and voluntary returnees in Ethiopia;

2. *Appeals* to Member States and to international organizations and voluntary agencies to provide adequate material, financial and technical assistance for relief and rehabilitation programmes for the large number of refugees and voluntary returnees in Ethiopia;

3. *Requests* the United Nations High Commissioner for Refugees to continue his efforts to mobilize humanitarian assistance for the relief, rehabilitation and resettlement of voluntary returnees and the large number of refugees in Ethiopia;

4. *Requests* the Secretary-General, in co-operation with the High Commissioner, to apprise the Economic and Social Council, at its second regular session of 1991, of the implementation of the present resolution and to report thereon to the General Assembly at its forty-sixth session.

69th plenary meeting
18 December 1990

45/162. Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights,[5] in which it is stated that every human being has the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights,[33] in which it is stated that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

Recalling its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary or arbitrary executions, and its resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986, 42/141 of 7 December 1987, 43/151 of 8 December 1988 and 44/159 of 15 December 1989,

Deeply alarmed at the continued occurrence on a large scale of summary or arbitrary executions, including extra-legal executions,

Recalling Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15,[77]

Welcoming the close co-operation established between the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat, and the Committee on Crime Prevention and Control with regard to the elaboration of the principles on the effective prevention and investigation of arbitrary and summary executions, including extra-legal executions,

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[266] A/45/447.

Recalling Economic and Social Council resolution 1989/65 of 24 May 1989, containing the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions,

Recalling also Economic and Social Council resolution 1989/64 of 24 May 1989, entitled "Implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty" and the recommendations contained therein,

Convinced of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental human right, the right to life,

1. *Once again strongly condemns* the large number of summary or arbitrary executions, including extra-legal executions, that continue to take place in various parts of the world;

2. *Demands* that the practice of summary or arbitrary executions be brought to an end;

3. *Appeals urgently* to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate summary or arbitrary executions, including extra-legal executions;

4. *Reaffirms* Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint a special rapporteur to consider the questions related to summary or arbitrary executions;

5. *Welcomes* Economic and Social Council decision 1990/233 of 25 May 1990, in which the Council approved the decision of the Commission on Human Rights[267] to extend the mandate of the Special Rapporteur for another two years and also approved the Commission's request to the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur;

6. *Urges* all Governments, in particular those which have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

7. *Requests* the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred, and, furthermore, to promote exchanges of views between Governments and those who provide reliable information to the Special Rapporteur, where the Special Rapporteur considers that such exchanges of information might be useful;

8. *Welcomes* the recommendations made by the Special Rapporteur in his reports[268] to the Commission on Human Rights at its forty-fourth, forty-fifth and forty-sixth sessions with a view to eliminating summary or arbitrary executions;

9. *Encourages* Governments, international organizations and non-governmental organizations to organize training programmes and support projects with a view to training or educating law enforcement officers in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

10. *Considers* that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, as well as medical and forensic experts;

11. *Requests* the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

12. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

13. *Requests* the Commission on Human Rights at its forty-seventh session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35, 1985/40, 1986/36, 1987/60 and 1988/38, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

69th plenary meeting
18 December 1990

45/163. Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small, and its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Bearing in mind equally that one of the purposes of the United Nations is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for, and observance of, human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55,

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[267] See *Official Records of the Economic and Social Council, 1990, Supplement No. 2* and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A, resolution 1990/51.

[268] E/CN.4/1988/22 and Add.1 and 2, E/CN.4/1989/25 and E/CN.4/1990/22 and Corr.1 and Add.1.

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international co-operation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international co-operation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of Human Rights,[5] the International Covenants on Human Rights[33] and other relevant instruments,

Deeply convinced that such co-operation should be based on a profound understanding of the economic, social and cultural realities and the variety of problems existing in different societies,

Recalling its resolutions 32/130 of 16 December 1977, 37/200 of 18 December 1982, 41/155 of 4 December 1986 and 43/155 of 8 December 1988,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Aware of the fact that the promotion, protection and full realization of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States in co-operation with the Organization to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the protection and promotion of human rights, including the development of further international co-operation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights,[33] the International Covenant on Economic, Social and Cultural Rights[33] and other relevant international instruments and to refrain from activities that are inconsistent with this international legal framework;

4. *Considers* that international co-operation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Affirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international co-operation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

7. *Underlines,* in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

8. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, as well as international human rights instruments, the measures that they may deem appropriate to achieve further progress in international co-operation in promoting and encouraging respect for human rights and fundamental freedoms;

9. *Requests* the Commission on Human Rights, at its forty-seventh session, to examine the content of the present resolution, including ways and means to strengthen United Nations action in this regard.

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45/164. International Year for the World's Indigenous People

The General Assembly,

Bearing in mind that one of the purposes of the United Nations set forth in the Charter is the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Taking note of the recommendation of the Economic and Social Council, in its decision 1990/248 of 25 May 1990, that the General Assembly proclaim 1993 as an international year for the world's indigenous people,

Taking into account the guidelines for international years and anniversaries adopted in its decision 35/424 of 5 December 1980,

1. *Proclaims* 1993 as International Year for the World's Indigenous People, with a view to strengthening international co-operation for the solution of problems faced by indigenous communities in areas such as

human rights, the environment, development, education and health;

2. *Invites* States to ensure that preparations are made for the Year;

3. *Recommends* that the specialized agencies, regional commissions and other organizations of the United Nations system consider in their respective forums the contributions that they can make to the success of the Year;

4. *Invites* organizations of indigenous people and other interested non-governmental organizations to consider the contributions they can make to the success of the Year, with a view to presenting them to the Commission on Human Rights;

5. *Requests* the Commission on Human Rights to consider at its forty-seventh session possible United Nations activities in connection with the Year;

6. *Authorizes* the Secretary-General to accept and administer voluntary contributions from Governments and intergovernmental and non-governmental organizations for the purpose of funding programme activities for the Year;

7. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a draft programme of activities based on the recommendations of the Economic and Social Council and of the specialized agencies;

8. *Decides* to include in the provisional agenda of its forty-sixth session an item entitled "Preparation and organization of the International Year for the World's Indigenous People".

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45/165. Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 44/160 of 15 December 1989 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances, and about the fact that, in certain cases, the families of disappeared persons have been the target of intimidation and ill-treatment,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who are unsure of the fate of their relatives,

Concerned by the growing number of reports concerning harassment of witnesses of disappearances or relatives of disappeared persons,

Convinced of the need to continue implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances, with a view to finding solutions for cases of disappearances and helping to eliminate such practices,

Bearing in mind Commission on Human Rights resolution 1990/30 of 2 March 1990,[3]

1. *Expresses its appreciation* to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;

2. *Welcomes* the decision made by the Commission on Human Rights at its forty-sixth session to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI) of 29 February 1980,[174] while maintaining the principle of annual reporting by the Working Group;

3. *Recalls* the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986[180] to enable the Working Group to fulfil its mandate with greater efficiency;

4. *Notes with satisfaction* that the Working Group on Detention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities has completed preparation of the draft declaration on the protection of all persons from enforced or involuntary disappearances[269] and that the Sub-Commission has decided to transmit the draft to the Commission on Human Rights;[270]

5. *Appeals* to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group on Enforced or Involuntary Disappearances, to co-operate fully with it so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role, and in particular to reply more quickly to the requests for information addressed to them;

6. *Encourages* the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling it to fulfil its mandate even more effectively;

7. *Extends its warm thanks* to those Governments which have invited the Working Group and requests them to give all necessary attention to its recommendations;

8. *Appeals* to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment of which they may be the target;

9. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Working Group to the Commission at its forty-seventh session;

10. *Renews its request* to the Secretary-General to continue to provide the Working Group with all necessary facilities.

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[269] E/CN.4/Sub.2/1990/32, annex.

[270] See E/CN.4/1991/2-E/CN.4/Sub.2/1990/59, chap. II, sect. A, resolution 1990/33.

45/166. Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights[5] and the relevant provisions of the International Covenant on Civil and Political Rights[33] and the Optional Protocols thereto,[192] in particular article 6 of the Covenant, which explicitly states that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[87] and in the International Convention on the Elimination of All Forms of Racial Discrimination,[21]

Calling attention to the numerous international standards in the field of the administration of justice, such as the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[35] the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power[70] and the safeguards guaranteeing protection of the rights of those facing the death penalty,[271] as well as the Basic Principles on the Independence of the Judiciary,[272] the Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners,[273] the Code of Conduct for Law Enforcement Officials[223] and the Standard Minimum Rules for the Treatment of Prisoners,[261]

Reaffirming in this context the importance of the principles contained in its resolution 41/120 of 4 December 1986 on standard-setting in the field of human rights,

Recognizing the important contribution of the Commission on Human Rights in the field of human rights in the administration of justice, as reflected in its resolutions 1990/81 of 7 March 1990 on human rights in the administration of justice, 1990/33 of 2 March 1990 on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, 1990/35 of 2 March 1990 on compensation for victims of gross violations of human rights, 1990/37 of 6 March 1990 on the use of force by law enforcement officials and 1990/51 of 6 March 1990 on summary or arbitrary executions,[3]

Welcoming resolution 1990/33 of 31 August 1990 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,[274] by which the Sub-Commission adopted a draft declaration on the protection of all persons from enforced or involuntary disappearances, and inviting the Commission on Human Rights to consider the draft declaration as a matter of high priority at its forty-seventh session,

Also welcoming the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1990/23,[274] to entrust Mr. Louis Joinet with the preparation of a report on strengthening the independence of the judiciary and the protection of practising lawyers, and encouraging the Sub-Commission, in giving further consideration to the question of the independence and impartiality of the judiciary and the independence of lawyers, to take into account the basic principles adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[133]

Welcoming further the progress achieved by the Sub-Commission on the subject of compensation for victims of gross violations of human rights,

Recognizing the significant work accomplished in this area under the United Nations crime prevention and criminal justice programme, especially by the Eighth Congress, in particular with respect to the formulation and application of United Nations standards and norms in the administration of justice under item 7 of its agenda,

Underlining the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice,

Recalling its resolution 44/162 of 15 December 1989,

1. *Reaffirms* the importance of the full and effective implementation of United Nations norms and standards on human rights in the administration of justice;

2. *Once again calls upon* all States to pay due attention to those norms and standards in developing national or regional strategies for their practical implementation and to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as for adequate financial resources to ensure more effective implementation of these norms and standards;

3. *Takes note with appreciation* of the recommendations made by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders with a view to ensuring more effective application of existing standards, in particular the Standard Minimum Rules for the Treatment of Prisoners, the Code of Conduct for Law Enforcement Officials, the safeguards guaranteeing protection of the rights of those facing the death penalty, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),[82] the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the Basic Principles on the Independence of the Judiciary;

4. *Welcomes* the Basic Principles on the Role of Lawyers,[137] the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,[137] the Guidelines on the Role of Prosecutors,[137] the Basic Principles for the Treatment of Prisoners,[275] the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)[276] and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[86] unanimously adopted by the Eighth Congress, and invites Governments to respect them and to take them into account within the framework of their national legislation and practice;

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[271] Economic and Social Council resolution 1984/50, annex.

[272] See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2.

[273] *Ibid.*, sect. D.1.

[274] See E/CN.4/1991/2-E/CN.4/Sub.2/1990/59, chap. II, sect. A.

[275] Resolution 45/111, annex.

[276] Resolution 45/110, annex.

5. *Welcomes also* the Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released[83] and the recommendations on the treatment of foreign prisoners[273] adopted unanimously by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and invites Member States to take them into account, as well as the Model Agreement on the Transfer of Foreign Prisoners,[273] in establishing treaty relations with other Member States or in revising existing treaty relations;

6. *Endorses* Economic and Social Council resolution 1990/21 of 24 May 1990 on the implementation of United Nations standards and norms in crime prevention and criminal justice;

7. *Requests* the Commission on Human Rights, bearing in mind the work of the Committee on Crime Prevention and Control, to invite the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

(*a*) To study the implementation of United Nations norms and standards in this field;

(*b*) To identify problems that may impinge on the effective implementation of those standards and norms;

(*c*) To recommend viable solutions with action-oriented proposals to the Commission;

8. *Requests* the Secretary-General:

(*a*) To provide the necessary compilatory and analytical documentation to the Sub-Commission for those tasks;

(*b*) To prepare, on the basis of comments by Member States and relevant international organizations and bodies, as well as by non-governmental organizations, a draft model text for national legislation in the field of human rights in the administration of justice;

(*c*) To co-ordinate the activities of the Commission on Human Rights and the Sub-Commission, mentioned in paragraph 7 above, with the relevant activities of the Committee on Crime Prevention and Control;

(*d*) To invite those Member States and international organizations and bodies which have not yet done so to comment on the aspects of human rights issues in the field of administration of justice they deem relevant to the work of the Sub-Commission;

9. *Requests* the Commission on Human Rights to invite the Sub-Commission to consider the draft model text requested in paragraph 8 (*b*) above, with a view to the further elaboration of model texts, and to propose such texts to the Commission for adoption;

10. *Requests* the Secretary-General:

(*a*) To continue to assist Member States, at their request, in implementing existing international human rights standards in the administration of justice, in particular under the programme of advisory services;

(*b*) To continue to provide all necessary support to United Nations bodies working on standard-setting in this field;

(*c*) To continue to co-ordinate the various technical advisory services provided by the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat with a view to undertaking joint programmes and strengthening existing mechanisms for the protection of human rights in the administration of justice;

11. *Emphasizes* the important role of the regional commissions, specialized agencies and the United Nations institutes in the area of human rights and crime prevention and criminal justice and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field;

12. *Decides* to consider at its forty-sixth session the question of human rights in the administration of justice on the basis of a report of the Secretary-General on the implementation of the present resolution.

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45/167. Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights, in particular resolutions 43/140 and 43/152 of 8 December 1988,

Recalling that, in its resolution 43/152, the General Assembly invited the Secretary-General to submit to the Assembly at its forty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of that resolution,

Recalling Commission on Human Rights resolution 1989/72 of 8 March 1989[183] and taking note of Commission resolution 1990/58 of 7 March 1990[3] concerning advisory services in the field of human rights,

Recalling also Commission on Human Rights resolution 1989/50 of 7 March 1989[183] and taking note of Commission resolution 1990/71 of 7 March 1990[3] concerning regional arrangements for the promotion and protection of human rights in the Asian-Pacific region,

Having considered the report of the Secretary-General,[277]

Noting with satisfaction the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

Reaffirming that regional arrangements for the promotion and protection of human rights may make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field among the regions, within the United Nations system, may be improved,

Bearing in mind that regional instruments should complement the universally accepted human rights standards and that the persons chairing the human rights treaty bodies of the United Nations noted during their third meeting, held at Geneva from 1 to 5 October 1990, that certain inconsistencies between provisions of international instruments and those of regional instruments might raise difficulties with regard to their implementation,[278]

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[277] A/45/348.

1. *Takes note* of the report of the Secretary-General;

2. *Notes with interest* that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities, particularly those relating to the organization of regional and subregional training courses in the field of human rights;

3. *Welcomes* in that respect the close co-operation given by the Centre for Human Rights of the Secretariat in the organization of the training courses or workshops that, as mentioned in the report of the Secretary-General, took place at Banjul, Brasilia, Buenos Aires, Castel Gandolfo, Kiev, Manila, Moscow, Quito and San Remo;[279]

4. *Welcomes also* the assistance provided by the Centre for Human Rights in the establishment of the African Centre for Democracy and Human Rights Studies at Banjul, as well as the co-operation of the Centre with the Economic and Social Commission for Asia and the Pacific, the International Institute of Human Rights at Strasbourg and the Inter-American Institute of Human Rights at San José, and the technical assistance provided by the Centre to the Arab Institute for Human Rights at Tunis;

5. *Requests* the Secretary-General to continue encouraging these developments;

6. *Notes with interest* in this regard the announcement by the Secretary-General in the proposed medium-term plan for the period 1992-1997[154] that efforts would be made to strengthen exchanges between the United Nations and regional intergovernmental bodies dealing with human rights issues, that it might be expected that during the medium-term plan period more national, regional and subregional workshops and training courses would be organized for administrators of justice and government officials engaged in the implementation of international conventions on human rights, and that more countries in all regions of the world would develop forms of co-operation and assistance with the Centre for Human Rights, in keeping with their specific needs;

7. *Invites* States in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;

8. *Endorses* the appeal made to all Governments in Commission on Human Rights resolutions 1989/72 and 1990/58, to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

9. *Requests* the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations;

10. *Invites* the Secretary-General to submit to the Commission on Human Rights at its forty-eighth session and to the General Assembly at its forty-seventh session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

11. *Decides* to consider this question further at its forty-seventh session.

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45/168. Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

The General Assembly,

Recalling its previous resolutions, in particular resolution 43/140 of 8 December 1988, on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region,

Recognizing that regional arrangements make a major contribution to the promotion and protection of human rights and that non-governmental organizations may have a valuable role to play in this process,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Reiterating its appreciation for the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, held at Colombo from 21 June to 2 July 1982,[280] the comments on the report of the Seminar received from the Economic and Social Commission for Asia and the Pacific and from States members of the Commission,[281] and the report of the Secretary-General on the training course on human rights teaching held at Bangkok from 12 to 23 October 1987 under the United Nations programme of advisory services in the field of human rights,[282]

Noting the designation of the Social Development Division of the Economic and Social Commission for Asia and the Pacific as a regional focal point on human rights,

Recalling Commission on Human Rights resolution 1989/50 of 7 March 1989[183] and taking note of Commission resolution 1990/71 of 7 March 1990,[3]

1. *Takes note* of the report of the Secretary-General;[283]

2. *Welcomes* the designation of the library of the Economic and Social Commission for Asia and the Pacific as a depository centre for United Nations human

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[278] A/45/636, annex, para. 27.

[279] A/45/348, sect. II.

[280] A/37/422, annex.

[281] See A/39/174-E/1984/38 and Add.1 and E/CN.4/1986/19.

[282] E/CN.4/1988/39/Add.1.

[283] A/45/210-E/1990/21.

rights materials within the Commission at Bangkok, the functions of which would include the collection, processing and dissemination of such materials in the Asian and Pacific region;

3. *Renews its invitation* to States members of the Economic and Social Commission for Asia and the Pacific that have not yet done so to communicate to the Secretary-General as soon as possible their comments on the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region and, in particular, to address themselves to the conclusions and recommendations in the report concerning the development of regional arrangements in Asia and the Pacific;

4. *Requests* the Secretary-General to ensure a continuing flow of human rights material to the library of the Economic and Social Commission for Asia and the Pacific at Bangkok for appropriate dissemination in the region;

5. *Notes* the efforts of United Nations development agencies in the Asian and Pacific region to promote the human rights dimension more actively and systematically in their development activities;

6. *Encourages* United Nations development agencies in the Asian and Pacific region to co-ordinate with the Economic and Social Commission for Asia and the Pacific their efforts to promote the human rights dimension in their activities;

7. *Notes* that an Asia-Pacific workshop on international human rights issues, including regional and national institutions and arrangements for the promotion and protection of human rights, was held at Manila from 7 to 11 May 1990, within the framework of the advisory services and technical assistance programme and the World Public Information Campaign for Human Rights;

8. *Requests* the Secretary-General to submit a report to the General Assembly at its forty-seventh session, through the Economic and Social Council, incorporating information on progress achieved in the implementation of the present resolution;

9. *Decides* to continue its consideration of the question at its forty-seventh session.

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45/169. International co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms

The General Assembly,

Recalling its resolutions 41/155 of 4 December 1986 and 43/155 of 8 December 1988, as well as Commission on Human Rights resolutions 1987/42 of 10 March 1987[181] and 1989/49 of 7 March 1989,[183]

Conscious that it is a purpose of the United Nations and the task of all Member States to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Desirous of achieving further progress in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that special emphasis should be put on the effective implementation of the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights,[5] the International Covenant on Civil and Political Rights,[33] the International Covenant on Economic, Social and Cultural Rights[33] and other relevant international instruments,

Convinced that the effectiveness of United Nations human rights instruments would be enhanced by universal adherence to them as well as by strict compliance of States parties with their obligations,

Considering that existing regional arrangements for the promotion and protection of human rights make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field, as well as the teaching of human rights, could be further improved,

Emphasizing the necessity for the international community to continue its efforts to take practical measures to prevent mass and flagrant violations and all other violations of human rights, including all forms of discrimination based on distinctions of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, which continue to take place in many parts of the world, contrary to the provisions of international instruments in the field of human rights,

Noting the importance that the promotion and protection of human rights have secured on the international agenda and in relations between States,

1. *Calls upon* Member States to implement fully the universally recognized international standards for the promotion and protection of human rights enshrined, in particular, in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments;

2. *Urges* all States to co-operate fully with the relevant bodies of the United Nations system and other intergovernmental forums dealing with the promotion and protection of human rights and fundamental freedoms in any part of the world;

3. *Considers* that such co-operation will make an effective and practical contribution to the implementation of human rights and fundamental freedoms for all;

4. *Expresses its conviction* that the promotion of and respect for human rights and fundamental freedoms, as well as the implementation of universally recognized human rights standards, are particularly important for all countries;

5. *Urges* Member States that have not yet done so to consider ratifying or acceding to the various international instruments in the field of human rights;

6. *Recognizes* the value of common efforts by Governments and intergovernmental and non-governmental organizations at international, regional, bilateral and national levels in the field of human rights;

7. *Considers* that the World Public Information Campaign for Human Rights would contribute to the promotion and improvement of understanding of human rights;

8. *Emphasizes* that the wide dissemination of information on human rights and the teaching of human rights are important tasks and would contribute to the implementation of universally recognized international human rights standards;

9. *Decides* to continue the consideration of this question at its forty-seventh session under the item entitled "Report of the Economic and Social Council".

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45/170. The situation of human rights in occupied Kuwait

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights,[5] the International Covenants on Human Rights[33] and the Geneva Conventions of 12 August 1949,[284]

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil obligations they have freely undertaken under the various international instruments,

Condemning the invasion of Kuwait on 2 August 1990 by the military forces of Iraq,

Noting with grave concern that the Iraqi forces in occupied Kuwait continue to commit acts of violence, leaving large numbers of victims and causing enormous human suffering to the civilian population,

Noting also with grave concern that the treatment of prisoners of war and detained civilians in occupied Kuwait does not conform to the internationally recognized principles of humanitarian law,

Expressing grave concern at the continued refusal of Iraq to receive representatives of humanitarian organizations, especially representatives of the International Committee of the Red Cross and a representative of the Secretary-General, to help in extending humanitarian assistance to the Kuwaiti people under occupation,

1. *Condemns* the Iraqi authorities and occupying forces for their serious violations of human rights against the Kuwaiti people and third-State nationals and, in particular, the continued and increasing acts of torture, arrests, summary executions, disappearances and abduction in violation of the Charter of the United Nations, the International Covenants on Human Rights, other relevant human rights instruments and the relevant instruments of humanitarian law;

2. *Affirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[285] applies to Kuwait and that as a high contracting party to the Convention Iraq is bound to comply fully with all its terms and in particular is liable under the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of such breaches;

3. *Expresses its serious concern* about the systematic dismantling and pillaging of and attacks on the economic infrastructure of Kuwait, which seriously undermine the present and future enjoyment by the Kuwaiti people of their economic, social and cultural rights;

4. *Expresses its grave concern* at the living conditions in occupied Kuwait, especially those of women, children, elderly and third-State nationals, which are becoming increasingly difficult;

5. *Expects* Iraq to guarantee respect for international standards applicable under international law, in particular with reference to the protection of the civilian population, and demands that Iraq co-operate fully with and give access to Kuwait to representatives of humanitarian organizations, especially the International Committee of the Red Cross, working to alleviate the suffering of the civilian population in occupied Kuwait;

6. *Also expects* Iraq to comply with its obligations under the Charter and international law in respect of third-State nationals, and demands that Iraq release all nationals of third States;

7. *Urges* Iraq to treat all prisoners of war and detained civilians in accordance with the internationally recognized principles of humanitarian law and to protect them from all acts of violence, including ill-treatment, torture and summary execution;

8. *Condemns* the rejection by Iraq of the offer of the Government of Kuwait to send humanitarian assistance, especially medicine, to the Kuwaiti people under occupation;

9. *Requests* the Commission on Human Rights at its forty-seventh session to consider the situation of human rights in occupied Kuwait;

10. *Decides* to keep under consideration the situation of human rights in occupied Kuwait.

69th plenary meeting
18 December 1990

45/171. Assistance to student refugees in southern Africa

The General Assembly,

Recalling its resolution 44/157 of 15 December 1989, in which, *inter alia,* it requested the United Nations High Commissioner for Refugees, in co-operation with the Secretary-General, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from South Africa and Namibia who had been granted asylum in Botswana, Lesotho, Swaziland and Zambia,

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[284] United Nations, *Treaty Series,* vol. 75, Nos. 970-973.

[285] *Ibid.,* No. 973.

Having considered the report of the Secretary-General,[286]

Noting with appreciation that some of the projects recommended in the report continue to be successfully implemented,

Noting with concern that the discriminatory and repressive policies that continue to be applied in South Africa cause a continued and increasing influx of student refugees into Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe,

Conscious of the burden placed on the limited financial, material and administrative resources of the host countries by the increasing number of student refugees,

Appreciating the efforts of the host countries to deal with their student refugee populations, with the assistance of the international community,

1. *Takes note with satisfaction* of the report of the Secretary-General;

2. *Expresses its appreciation* to the Governments of Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe for granting asylum and making educational and other facilities available to the student refugees, in spite of the pressure that the continuing influx of those refugees exerts on facilities in their countries;

3. *Also expresses its appreciation* to the Governments of Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe for the co-operation that they have extended to the United Nations High Commissioner for Refugees on matters concerning the welfare of the refugees;

4. *Notes with appreciation* the financial and material support provided for the student refugees by Member States, the Office of the United Nations High Commissioner for Refugees, other bodies of the United Nations system and intergovernmental and non-governmental organizations;

5. *Requests* the High Commissioner, in co-operation with the Secretary-General, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from South Africa, who have been granted asylum in Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe;

6. *Also requests* the High Commissioner, in co-operation with the Secretary-General, to continue the sponsorship of Namibian students still studying under programmes of the High Commissioner until they complete their studies;

7. *Urges* all Member States and intergovernmental and non-governmental organizations to continue contributing generously to the assistance programme for student refugees, through financial support of the regular programmes of the High Commissioner and of the projects and programmes, including unfunded projects, that were submitted to the Second International Conference on Assistance to Refugees in Africa, held at Geneva from 9 to 11 July 1984;[287]

8. *Also urges* all Member States and all intergovernmental and non-governmental organizations to assist the countries of asylum materially and otherwise to enable them to continue to discharge their humanitarian obligations towards refugees;

9. *Appeals* to the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and all other competent United Nations bodies, as well as other international and non-governmental organizations, to continue providing humanitarian and development assistance so as to facilitate and expedite the settlement of student refugees from South Africa who have been granted asylum in Botswana, Lesotho, Mozambique, Swaziland, Zambia and Zimbabwe;

10. *Calls upon* agencies and programmes of the United Nations system to continue co-operating with the Secretary-General and the High Commissioner in the implementation of humanitarian programmes of assistance for the student refugees in southern Africa;

11. *Requests* the High Commissioner, in co-operation with the Secretary-General, to continue to keep the matter under review, to apprise the Economic and Social Council, at its second regular session of 1991, of the current status of the programmes and to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

69th plenary meeting
18 December 1990

45/172. Situation of human rights and fundamental freedoms in El Salvador

The General Assembly,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[5] the International Covenant on Civil and Political Rights[33] and the International Covenant on Economic, Social and Cultural Rights,[33] as well as the humanitarian rules laid down in the Geneva Conventions of 12 August 1949[284] and Additional Protocol II thereto, of 1977,[288] instruments through which States have undertaken to promote and protect human rights and fundamental freedoms and to fulfil the obligations entered into under those international instruments,

Bearing in mind Commission on Human Rights resolution 1990/77 of 7 March 1990[3] which extended the mandate of the Special Representative for another year and requested him to report to the General Assembly at its forty-fifth session and to the Commission on Human Rights at its forty-seventh session,

Taking into account the commitments made by the Central American Presidents in various joint statements with a view to the promotion of, respect for and exercise of human rights and fundamental freedoms,

Noting that, in accordance with Security Council resolution 637 (1989) of 27 July 1989, the Secretary-General has continued to provide his good offices for the holding of talks between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional,

Deeply concerned about the persistence of the armed conflict in El Salvador throughout 1990 and by the recent escalation of violence initiated by the Frente

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[286] A/45/448.

[287] See A/CONF.125/1, para. 33.

[288] United Nations, *Treaty Series*, vol. 1125, No. 17513.

Farabundo Martí para la Liberación Nacional, a situation which continues to beleaguer the civilian population, as a result of air raids, the use of explosive devices in urban areas and attacks on the economic infrastructure,

Taking note of the results achieved in the rounds of negotiations conducted so far, in particular the agreement signed by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional at Geneva on 4 April 1990[289] and the agreement signed at Caracas on 21 May 1990,[290] which establishes an agenda and a schedule for negotiations designed to achieve the initial objective of political agreements for arranging a halt to the armed confrontation and any acts that infringe the rights of the civilian population,

Welcoming the Agreement on Human Rights, signed by the two parties at San José on 26 July 1990,[291] containing commitments concerning the respect for and guarantee of human rights to be effective immediately, and containing the terms of reference for the United Nations human rights verification mission,

Concerned that, despite the reduction in the number of violations of human rights and despite the efforts made by the two parties to improve the situation of human rights, numerous and serious politically motivated violations of human rights and of the humanitarian rules of warfare persist in El Salvador,

Concerned also that many sources continue to attribute summary executions and other serious violations of human rights to the so-called "death squads",

1. *Commends* the Special Representative of the Commission on Human Rights for his report on the situation of human rights in El Salvador,[292] endorses the recommendations contained therein and requests him to update the report in the light of the situation in that country;

2. *Expresses its satisfaction* with the signing of the agreement at Geneva on 4 April 1990 between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, which sets in motion a negotiating process under the auspices and with the active participation of the Secretary-General, with a view to ending the armed conflict through political means as speedily as possible, promoting the democratization of the country, guaranteeing unrestricted respect for human rights, and reunifying the Salvadorian society;

3. *Notes* that the two parties, when adopting the general agenda for the negotiating process at Caracas on 21 May 1990, agreed that the initial objective would be, first, to secure political agreements on the armed forces, human rights, the judicial system, the electoral system, constitutional reform, the economic and social problems, and verification by the United Nations and, secondly, to achieve agreements for arranging a halt to the armed confrontation and any acts that infringe the rights of the civilian population, all of which will have to be verified by the United Nations subject to the approval of the Security Council;

4. *Expresses its profound satisfaction* with the Agreement on Human Rights, adopted at San José on 26 July 1990, during the third round of talks between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, which constitutes the first substantive agreement between the parties, and urges them to take the action and measures necessary for its implementation;

5. *Supports fully* the work of intermediation being done by the Secretary-General and his Personal Representative in the search for a negotiated political solution to the Salvadorian conflict;

6. *Urges* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to make the greatest possible effort to implement all the political agreements announced at Geneva and Caracas, particularly taking into account the proposals of the Secretary-General for facilitating the negotiating process and achieving a just and lasting peace in El Salvador in the shortest possible time;

7. *Expresses its deep concern* about the persistence of politically motivated violations of human rights in El Salvador, such as summary executions, torture, abductions and enforced disappearances, and about the atmosphere of intimidation in which certain sectors of the population live;

8. *Also expresses its deep concern* that the capacity of the judicial system continues to be unsatisfactory, as a result of which the competent authorities must accelerate the adoption of the reforms and measures necessary for ensuring the effectiveness of the system;

9. *Deplores,* therefore, the irregularities in the judicial proceedings in connection with the assassination of the Rector and other members of the Central American University in 1989 and the lack of co-operation on the part of certain sectors of the armed forces which has impeded full clarification of such an abominable crime and the punishment of the guilty persons, as described in the report of the Special Representative;

10. *Renews its appeal* to the competent organs and organizations of the United Nations system that, on the basis of Commission on Human Rights resolution 1990/77 of 7 March 1990 and General Assembly resolution 44/165 of 15 December 1989, they provide the advice and assistance that the Government of El Salvador may request in order to enhance the promotion and protection of human rights and fundamental freedoms;

11. *Requests* the Commission on Human Rights at its forty-seventh session to consider the situation of human rights in El Salvador, taking into account the evolution of the situation of human rights in that country and developments linked to the implementation of all the agreements adopted by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, as well as the agreements signed by the Central American Presidents in the context of the regional peace-making process;

12. *Requests* the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to continue their dialogue and foster agreements

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[289] See A/45/706-S/21931, annex I; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990,* document S/21931.

[290] *Ibid.*, annex II; see *Official Records of the Security Council, Forty-fifth Year, Supplement for October, November and December 1990,* document S/21931.

[291] A/44/971-S/21541, annex; see *Official Records of the Security Council, Forty-fifth Year, Supplement for July, August and September 1990,* document S/21541.

[292] A/45/630.

with a view to a firm and lasting peace, and to continue co-operating with the Special Representative of the Commission on Human Rights;

13. *Decides* to keep under consideration, during its forty-sixth session, the situation of human rights and fundamental freedoms in El Salvador in order to re-examine this situation in the light of the information provided by the Commission on Human Rights and the Economic and Social Council.

69th plenary meeting
18 December 1990

45/173. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[5] and the International Covenants on Human Rights,[33]

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Recalling its resolution 44/163 of 15 December 1989 and taking note of Commission on Human Rights resolution 1990/79 of 7 March 1990,[3]

Mindful of Commission on Human Rights resolution 1990/76 of 7 March 1990, entitled "Co-operation with representatives of United Nations human rights bodies",[3] and Economic and Social Council resolution 1990/48 of 25 May 1990,

Welcoming the two visits paid by the Special Representative of the Commission to the Islamic Republic of Iran during the course of 1990 and the two reports[293] presented following those visits, which have provided useful information and clarified a number of allegations about the situation of human rights in the Islamic Republic of Iran,

Noting the findings of the Special Representative on the situation of the Baha'is in the Islamic Republic of Iran,

1. *Takes note with appreciation* of the reports submitted by the Special Representative in 1990, including the observations contained therein, and notes with concern the allegations of violations of human rights contained in those reports;

2. *Calls upon* the Islamic Republic of Iran to intensify its efforts to investigate and rectify the human rights issues raised by the Special Representative, in particular as regards the administration of justice and due process of law in order to comply with international instruments on human rights, including the International Covenant on Civil and Political Rights to which the Islamic Republic of Iran is a party, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in these instruments;

3. *Welcomes* the decision of the Government of the Islamic Republic of Iran to invite the International Committee of the Red Cross to visit prisons in the country and urges the competent officials to implement this decision as soon as possible by concluding an agreement in accordance with standard procedures of the Committee;

4. *Notes* that the co-operation of the Islamic Republic of Iran with the Special Representative has improved and has included replies by the Government to allegations that have been transmitted to it, and urges the Government to reply in detail to all allegations referred to by the Special Representative in his reports;

5. *Requests* the Secretary-General to respond favourably, in accordance with the normal practices of the Centre for Human Rights of the Secretariat, to requests for technical assistance from the Government of the Islamic Republic of Iran;

6. *Also requests* the Secretary-General to give the Special Representative all the necessary assistance to carry out his mandate;

7. *Notes* that the Commission on Human Rights will consider the situation of human rights in the Islamic Republic of Iran at its forty-seventh session and will refer the question, as appropriate, to the General Assembly at its forty-sixth session.

69th plenary meeting
18 December 1990

45/174. Situation of human rights in Afghanistan

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights,[5] the International Covenants on Human Rights[33] and the humanitarian rules set out in the Geneva Conventions of 12 August 1949[284] and the Additional Protocols thereto, of 1977,[294]

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan, with a view to formulating proposals that could contribute to ensuring full protection of the human rights of the inhabitants of the country before, during and after the withdrawal of all foreign forces,

Recalling also its relevant resolutions as well as resolutions of the Commission on Human Rights and decisions of the Economic and Social Council,

Taking note in particular of Commission on Human Rights resolution 1990/53 of 6 March 1990,[3] in which the Commission decided to extend the mandate of its

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[293] E/CN.4/1990/24 and A/45/697.

[294] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

Special Rapporteur for one year and requested him to report to the General Assembly at its forty-fifth session on the situation of human rights in Afghanistan,

Emphasizing the relevance and validity for all parties concerned of the Agreements on the Settlement of the Situation Relating to Afghanistan, concluded at Geneva on 14 April 1988,[295] which constitute an important step towards a comprehensive political solution,

Noting with deep concern that a situation of armed conflict persists in Afghanistan, that acts of terrorism against civilians have significantly increased, that the treatment of prisoners detained in connection with the conflict does not conform to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977, that more than five million refugees are living outside Afghanistan and that many Afghans are displaced within the country,

Aware that the reasons given by the refugees for not returning to Afghanistan pending the achievement of a comprehensive political solution and the establishment of a broad-based government include the continued fighting in some provinces, the use of very destructive arms in the conflict, the minefields that have been laid in many parts of the country, the lack of an effective authority in many areas and other obstacles that would be encountered by refugees in returning to the country,

Taking note with appreciation of the interim report of the Special Rapporteur[296] and of the conclusions and recommendations contained therein,

1. *Welcomes* the co-operation of the Afghan authorities with the Special Rapporteur on the situation of human rights in Afghanistan;

2. *Welcomes* the co-operation that the Afghan authorities have extended in particular to the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan, and to international organizations such as the specialized agencies, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross;

3. *Welcomes* the fact that the Special Rapporteur was able to visit areas in Afghanistan not under government control;

4. *Urges* all parties concerned to work for the achievement of a comprehensive political solution based on the free exercise of the right to self-determination by the people of Afghanistan through democratic procedures acceptable to the people, including free and fair elections, and the creation of conditions conducive to the return of refugees to their homeland in safety and honour and the full enjoyment of human rights and fundamental freedoms by all Afghans;

5. *Also urges* all parties to the conflict to respect the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977, to halt the use of weapons against the civilian population, to protect all prisoners from acts of reprisals and violence, including ill-treatment, torture and summary execution, to transmit to the International Committee of the Red Cross the names of all prisoners, and to grant to that Committee unrestricted access to all parts of the country and the right to visit all prisoners in accordance with its established criteria;

6. *Calls upon* the Afghan authorities to investigate thoroughly the fate of persons who have disappeared, to apply amnesty decrees equally to foreign detainees, to reduce the period during which prisoners await trial, to treat all prisoners, especially those awaiting trial or those in custody in juvenile rehabilitation centres, in accordance with the Standard Minimum Rules for the Treatment of Prisoners,[261] and to apply to all convicted persons article 14, paragraphs 3 (*d*) and 5, of the International Covenant on Civil and Political Rights;[33]

7. *Notes with concern* the allegations of atrocities committed against Afghan soldiers, civil servants and captured civilians;

8. *Expresses its concern* at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

9. *Urgently appeals* to all Member States, humanitarian organizations and all parties concerned to co-operate fully, especially on the subject of mine detection, in order to facilitate the return of refugees and displaced persons to their homes in safety and honour, in conformity with the Agreements on the Settlement of the Situation Relating to Afghanistan;

10. *Urgently appeals* to all Member States and humanitarian organizations to promote the implementation of the projects envisaged by the Co-ordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot projects for the repatriation of refugees;

11. *Urges* all parties concerned to extend their full co-operation to the Commission on Human Rights and its Special Rapporteur;

12. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur;

13. *Decides* to keep under consideration, during its forty-sixth session, the situation of human rights in Afghanistan in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

69th plenary meeting
18 December 1990

45/175. Rationalization of the work of the Third Committee

The General Assembly,

Recalling its decision 44/435 of 15 December 1989, in which it decided to defer consideration of the draft decision entitled "Programme of work of the Third Committee" until its forty-fifth session,[297]

Recalling also that the Third Committee, at its organizational meeting on 24 September 1990, decided to establish an open-ended working group on the rationalization of the work of the Third Committee to consider appropriate ways and means of rationalizing the Committee's programme of work, including existing proposals,[298]

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[295] S/19835, annex I.

[296] A/45/664.

[297] See A/C.3/45/L.2. For the printed text of the draft decision, see *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 12, document A/45/838/Add.1, para. 2.

1. *Takes note with appreciation* of the report of the Working Group on the Rationalization of the Work of the Third Committee;[299]

2. *Adopts* the new structure of the agenda of the Third Committee, as contained in section I of the annex to the present resolution;

3. *Approves* the biennial programme of work of the Third Committee for 1991-1992, as contained in section II of the annex;

4. *Endorses* the recommendations concerning organizational matters, as contained in section III of the annex;

5. *Decides* to implement the provisions of the present resolution beginning at its forty-sixth session;

6. *Requests* the Secretary-General to take the present resolution into account in drawing up future agendas of the General Assembly.

69th plenary meeting
18 December 1990

ANNEX

I. NEW STRUCTURE OF THE AGENDA OF THE THIRD COMMITTEE

Item 1. Report of the Economic and Social Council [item 12].

Item 2. Elimination of racism and racial discrimination.[300]

Item 3. Right of peoples to self-determination.[300]

Item 4. Social development:

  (*a*) Questions relating to the world social situation and to youth, aging, disabled persons and the family;[301]

  (*b*) Crime prevention and criminal justice.[301]

Item 5. Advancement of women.

Item 6. Narcotic drugs.

Item 7. Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions:

  (*a*) Report of the United Nations High Commissioner for Refugees;[302]

  (*b*) Questions relating to refugees and displaced persons;[302]

  (*c*) Humanitarian questions.[302]

Item 8. Human rights questions:

  (*a*) Implementation of human rights instruments;[303]

  (*b*) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;[304]

  (*c*) Human rights situations and reports of special rapporteurs and representatives.[304]

Item 1. Report of the Economic and Social Council

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

—Questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

Item 2. Elimination of racism and racial discrimination[300]

Annual

Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

Report of the Committee on the Elimination of Racial Discrimination

Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*

Biennial

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist régime of South Africa (1992)

Status of the International Convention on the Elimination of All Forms of Racial Discrimination (1992)

Item 3. Right of peoples to self-determination[300]

Annual

Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights

Universal realization of the right of peoples to self-determination

Use of mercenaries as a means to violate human rights and to impede the exercise of the right of people to self-determination (to be considered biennially after the entry into force of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries)

Item 4. Social development

(*a*) *Questions relating to the world social situation and to youth, aging, disabled persons and the family*[301]

Annual

World social situation[305]

Implementation of the International Plan of Action on Aging and related activities (biennially after 1993)

Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons (biennially after end of Decade in 1992)

Biennial

Popular participation in its various forms as an important factor in development and in the full realization of all human rights (1993)

Achievement of social justice (1992)

Policies and programmes involving youth (1992)

International Year of the Family, 1994 (1991, 1993, 1994; thereafter, biennially, if necessary)

Implementation of the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future (1991)

National experience in promoting the co-operative movement (1992)

International Literacy Year (1991)

Quinquennial

Anniversary of the Declaration on Social Progress and Development (1994)

(*b*) *Crime prevention and criminal justice*[301]

Biennial

Crime prevention and criminal justice (1991, 1993)

International co-operation in combating organized crime (1992, 1994)

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[298] See *Official Records of the General Assembly, Forty-fifth Session, Third Committee,* 2nd meeting, and corrigendum.

[299] A/C.3/45/L.100.

[300] Items 2 and 3 to be discussed jointly.

[301] Sub-items (*a*) and (*b*) to be discussed separately.

[302] Sub-items (*a*), (*b*) and (*c*) to be discussed jointly.

[303] Sub-item (*a*) to be discussed separately.

[304] Sub-items (*b*) and (*c*) to be discussed jointly. (This arrangement will be reviewed at the conclusion of the work of the Third Committee at the forty-sixth session of the General Assembly.)

[305] Year 1 (1991)—Interim report on the world social situation and report of the Commission for Social Development.

Year 2 (1992)—General debate on the basis of the report of the Economic and Social Council.

Year 3 (1993)—Report on the world social situation and report of the Commission for Social Development.

Year 4 (1994)—General debate on the basis of the report of the Economic and Social Council.

Quinquennial

Congress on the Prevention of Crime and the Treatment of Offenders (1995)

Item 5. Advancement of women

Annual

Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women

Improvement of the status of women in the Secretariat

Biennial

United Nations Development Fund for Women (1991)

Convention on the Elimination of All Forms of Discrimination against Women (1992)

International Research and Training Institute for the Advancement of Women (1991)

National experience relating to the improvement of the situation of women in rural areas (1993)

Item 6. Narcotic drugs

Annual

Implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances

International action to combat drug abuse and illicit trafficking

Biennial

Implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1992)

Item 7. Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions

(*a*) *Report of the United Nations High Commissioner for Refugees*[302]

Annual

Office of the United Nations High Commissioner for Refugees

(*b*) *Questions relating to refugees and displaced persons*[302]

Annual

International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa

International Conference on Central American Refugees

Assistance to student refugees in southern Africa

Situation of refugees in the Sudan

Assistance to refugees in Somalia

Assistance to voluntary returnees and displaced persons in Chad

Assistance to refugees and returnees in Ethiopia

Assistance to refugees and displaced persons in Malawi

Humanitarian assistance to refugees and displaced persons in Djibouti

Emergency humanitarian assistance to Liberian refugees and displaced persons

(*c*) *Humanitarian questions*[302]

Biennial

New international humanitarian order (1992)

Promotion of international co-operation in the humanitarian field (1992)

Humanitarian assistance to victims of natural disasters and similar emergency situations (1992)

Item 8. Human rights questions

(*a*) *Implementation of human rights instruments*[303]

Annual

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

Convention on the Rights of the Child (biennially after 1992)

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (biennially after the entry into force of the Convention)

Biennial

Report of the Committee against Torture and status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1992)

International Covenants on Human Rights (1991)

Status of the Convention on the Prevention and Punishment of the Crime of Genocide (1992)

United Nations Voluntary Fund for Victims of Torture (1991)

(*b*) *Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms*[304]

Annual

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

Right to development

Elimination of all forms of religious intolerance

Question of enforced or involuntary disappearances (biennially after the adoption of a declaration thereon)

Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

Enhancing the effectiveness of the principle of periodic and genuine elections

World Conference on Human Rights

Developments relating to the activities of the Centre for Human Rights of the Secretariat

Torture and inhuman treatment of children in detention in South Africa

Biennial

Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States (1992)

Human rights and mass exoduses (1991)

Human rights in the administration of justice (1991)

Summary or arbitrary executions (1992)

Development of public information activities in the field of human rights (1992)

Guidelines for the regulation of computerized personal data files

Human rights and scientific and technological developments (1991)

National institutions for the protection and promotion of human rights (1991)

International co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms (1992)

Regional arrangements for the promotion and protection of human rights (1992)

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (1992)

(*c*) *Human rights situations and reports of special rapporteurs and representatives*[304]

II. BIENNIAL PROGRAMME OF WORK OF THE THIRD COMMITTEE FOR 1991-1992

1991[306]

Item 1. *Report of the Economic and Social Council*

Documentation:

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

—Questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

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[306] The programme of work and documentation for 1991 will be revised in the light of the relevant decisions taken by the Economic and Social Council in 1991.

Item 2. *Elimination of racism and racial discrimination*[300]

Documentation:

Relevant chapter of the report of the Economic and Social Council on the Second Decade to Combat Racism and Racial Discrimination (resolution 45/105, para. 26)

Report of the Secretary-General on resources for the activities of the Second Decade to Combat Racism and Racial Discrimination (resolution 45/105, paras. 17 and 18)

Report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination (resolution 45/88, paras. 9 and 10)

Report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (resolution 45/90)

Report of the Committee on the Elimination of Racial Discrimination (resolution 2106 A (XX) of 21 December 1965)

Item 3. *Right of peoples to self-determination*[300]

Documentation:

Report of the Secretary-General on the importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights (resolution 45/131, para. 6)

Report of the Secretary-General on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination (resolution 45/132, para. 10)

Report of the Secretary-General on the strengthening of assistance to colonial Territories and peoples (resolution 45/130, paras. 36 and 37)

Item 4. *Social development*

(a) *Questions relating to the world social situation and to youth, aging, disabled persons and the family*[305]

Documentation:

Relevant chapter of the report of the Economic and Social Council

Interim report of the Secretary-General on the world social situation (resolution 45/87, para. 9)

Report of the Secretary-General on the work being done within the United Nations system to improve and further develop quantitative and qualitative indicators that measure accurately the social condition and the standard of living of the world's population, particularly in developing countries (resolution 45/87, para. 11)

Report of the Secretary-General on the implementation of the International Plan of Action on Aging and related activities (resolution 45/106)

Report of the Secretary-General on a draft world youth programme of action towards the year 2000 and beyond (resolution 45/103, para. 10)

Report of the Secretary-General on the progress made in the preparations for the International Year of the Family (resolution 45/133, para. 14)

Report of the Secretary-General on the implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons (resolution 45/91, para. 13)

Report of the Secretary-General on progress achieved in implementing and following up the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future (resolution 44/65 of 8 December 1989, paras. 14 and 15)

Report of the Secretary-General on the implementation of the programme for International Literacy Year (resolution 44/127 of 15 December 1989)

(b) *Crime prevention and criminal justice*

Documentation:

Report of the Secretary-General on crime prevention and criminal justice (resolution 45/121, para. 15)

Report of the Secretary-General on the situation of the African Institute for the Prevention of Crime and the Treatment of Offenders and all other autonomous institutes of the United Nations (decision 45/428)

Report brought to the attention of the General Assembly

Note by the Secretary-General transmitting the report of the ministerial meeting on proposals for an effective crime prevention and criminal justice programme (resolution 45/108, para. 6)

Item 5. *Advancement of women*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Committee on the Elimination of Discrimination against Women

Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (resolution 45/124, para. 4)

Report of the Secretary-General on the resources available and necessary to ensure adequate support to the Committee on the Elimination of Discrimination against Women and for the effective implementation of all other aspects of the programme on the advancement of women (resolution 45/124, paras. 12 and 16)

Report of the Secretary-General on the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (resolution 45/129, para. 26)

Report of the Secretary-General on the improvement of the status of women in the Secretariat (resolution 45/125)

Report of the Secretary-General on the interregional consultation on women in public life (resolution 45/127)

Report of the Administrator of the United Nations Development Programme on the United Nations Development Fund for Women (resolution 45/128)

Report of the Secretary-General on the activities of the International Research and Training Institute for the Advancement of Women (resolution 44/60 of 8 December 1989, paras. 8 and 9)

Item 6. *Narcotic drugs*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on respect for the principles enshrined in the Charter of the United Nations and international law in the fight against drug abuse and illicit trafficking (resolution 45/147, para. 4)

Report of the Secretary-General on international action to combat drug abuse and illicit trafficking and on economic and social consequences of illicit traffic in drugs and psychotropic substances (resolution 45/149, sect. II, paras. 2, 5 and 6)

Annual report of the Secretary-General on the implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances (resolution 45/148, para. 4)

Report of the Secretary-General on the enhancement of the United Nations structure for drug abuse control (see resolution 45/179, para. 14)

Item 7. *Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions*[307]

(a) *Report of the United Nations High Commissioner for Refugees*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the United Nations High Commissioner for Refugees

Report of the Secretary-General (resolution 45/140, para. 17)

(b) *Questions relating to refugees and displaced persons*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa (resolution 45/137, para. 10)

Report of the Secretary-General on the International Conference on Central American Refugees (resolution 45/141, para. 16)

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[307] Sub-items (*a*) and (*b*) to be discussed jointly.

Report of the Secretary-General on assistance to student refugees in southern Africa (resolution 45/171, para. 11)

Report of the Secretary-General on the situation of refugees in the Sudan (resolution 45/160, para. 9)

Report of the Secretary-General on assistance to refugees in Somalia (resolution 45/154, para. 12)

Report of the Secretary-General on assistance to voluntary returnees and displaced persons in Chad (resolution 45/156, para. 6)

Report of the Secretary-General on assistance to refugees and returnees in Ethiopia (resolution 45/161, para. 4)

Report of the Secretary-General on assistance to refugees and displaced persons in Malawi (resolution 45/159, para. 8)

Report of the Secretary-General on humanitarian assistance to refugees and displaced persons in Djibouti (resolution 45/157, para. 6)

Report of the Secretary-General on emergency humanitarian assistance to Liberian refugees and displaced persons (resolution 45/139, para. 6)

Item 8. *Human rights questions*

(a) *Implementation of human rights instruments*[303]

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights (resolution 45/85, para. 9 (*b*))

Report of the Secretary-General on the status of the Convention on the Rights of the Child (resolution 45/104, para. 10)

Report of the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 39/46 of 10 December 1984)

Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 45/142, para. 9)

Report of the Secretary-General on the status of United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights and the Optional Protocols thereto (resolution 45/135, para. 19)

Report of the Human Rights Committee

Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (resolution 45/158, paras. 6 and 7)

(b) *Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms*[304]

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the activities of the organizations of the United Nations system on the implementation of the Declaration on the Right to Development (resolution 45/97, para. 7)

Report of the Secretary-General on the torture and inhuman treatment of children in detention in South Africa (resolution 45/144, para. 6)

Report of the Secretary-General on national institutions for the protection and promotion of human rights (resolution 44/64 of 8 December 1989, para. 13)

Report of the Secretary-General on human rights and mass exoduses (resolution 45/153, para. 13)

Report of the Preparatory Committee for the World Conference on Human Rights (resolution 45/155, para. 13)

Report of the Secretary-General on developments relating to the activities of the Centre for Human Rights of the Secretariat (see resolution 45/180, para. 3)

Report of the Secretary-General on a draft programme of activities for the International Year for the World's Indigenous People (resolution 45/164, para. 7)

Report of the Secretary-General on his findings in pursuance of paragraphs 10 and 11 of resolution 45/150 and on the United Nations experience in election monitoring

Draft resolution entitled "Respect for the will of the people of Myanmar" (see decision 45/432)

Report of the Secretary-General on respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes (resolution 45/151, para. 10)

Draft resolution entitled "Non-discrimination and protection of minorities" (see decision 45/434)

Report of the Secretary-General on human rights in the administration of justice (resolution 45/166, para. 12)

(c) *Human rights situations and reports of special rapporteurs and representatives*[304]

Documentation:

Relevant chapter of the report of the Economic and Social Council

1992

Item 1. *Report of the Economic and Social Council*

Documentation:

Matters calling for action by the General Assembly (Third Committee) or brought to its attention

—Questions that do not fall within the purview of the other items on the agenda of the General Assembly allocated to the Third Committee

Item 2. *Elimination of racism and racial discrimination*[304]

Documentation:

Relevant chapter of the report of the Economic and Social Council (resolution 45/105)

Report of the Committee on the Elimination of Racial Discrimination (resolution 2106 A (XX) of 21 December 1965)

Report of the Special Rapporteur on adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist régime of South Africa (resolution 45/84)

Report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination (resolution 45/89)

Item 3. *Right of peoples to self-determination*

Item 4. *Social development*[308]

(a) *Questions relating to the world social situation and to youth, aging, disabled persons and the family*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the status and role of co-operatives in the light of new economic and social trends (resolution 44/58 of 8 December 1989, para. 4)

Report of the Secretary-General on the implementation of the policies and programmes involving youth (resolution 45/103, para. 14)

(b) *Crime prevention and criminal justice*

Documentation:

Relevant chapter of the report of the Economic and Social Council on international co-operation in combating organized crime (resolution 44/71 of 8 December 1989, para. 3, and resolution 45/123, para. 3)

Item 5. *Advancement of women*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Administrator of the United Nations Development Programme on the United Nations Development Fund for Women (resolution 45/128)

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[308] General debate on the world social situation on the basis of the report of the Economic and Social Council.

Report of the Committee on the Elimination of Discrimination against Women

Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (resolution 45/124, para. 4)

Item 6. *Narcotic drugs*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (resolution 45/146, para. 7)

Annual report of the Secretary-General on the implementation of the Global Programme of Action against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances (resolution 45/148, para. 4)

Item 7. *Report of the United Nations High Commissioner for Refugees; questions relating to refugees and displaced persons; and humanitarian questions*[302]

(a) *Report of the United Nations High Commissioner for Refugees*

Documentation:

Report of the United Nations High Commissioner for Refugees

(b) *Questions relating to refugees and displaced persons*

(c) *Humanitarian questions*

Documentation:

Report of the Secretary-General on humanitarian assistance to victims of natural disasters and similar emergency situations (resolution 45/100, para. 8)

Report of the Secretary-General on a new international humanitarian order (resolution 45/101, para. 5)

Item 8. *Human rights questions*

(a) *Implementation of human rights instruments*

Documentation:

Report of the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 39/46 of 10 December 1984)

Report of the Human Rights Committee

Report of the Secretary-General on the status of the Convention on the Prevention and Punishment of the Crime of Genocide (resolution 45/152, para. 5)

Report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (see decision 45/433)

(b) *Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms*

Documentation:

Relevant chapter of the report of the Economic and Social Council

Report of the Secretary-General on the development of public information activities (resolution 45/99, para. 16)

Report of the Preparatory Committee for the World Conference on Human Rights (resolution 45/155, para. 13)

Report of the Secretary-General on the state of the regional arrangements for the promotion and protection of human rights (resolution 45/167, para. 10)

Report of the Secretary-General on the views of Member States on General Assembly resolution 43/124 regarding the impact of property on the enjoyment of human rights and fundamental freedoms (see decision 45/427)

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (resolution 45/168, para. 8)

III. RECOMMENDATIONS CONCERNING ORGANIZATIONAL MATTERS

Pre-sessional documentation

1. Pre-sessional documentation should be circulated six weeks in advance in all working languages.

Introductory statements by Secretariat officials

2. Texts of introductory statements by Secretariat officials should be circulated to delegations in the original language and in the other official languages, if possible, at least three days in advance of the introduction of the item. Oral introductory statements should be limited to 15 minutes and should only highlight areas of special interest.

3. Secretariat officials should, at the end of the debate on a particular item, respond to matters raised and to questions asked.

Statements by delegations

4. In accordance with rule 106 of the rules of procedure of the General Assembly and paragraph 22 of decision 34/401 on the rationalization of the procedures and organization of the General Assembly, at the beginning of each session the Chairman should propose to the Third Committee the limitation of the time to be allowed to speakers. While it is understood that this decision will have to be applied with a degree of flexibility, delegations are encouraged to exercise self-discipline in this respect.

5. Copies of interventions made by delegations will be distributed by the conference officers. If a delegation is in a position to provide 200 copies, they may be circulated to all delegations during delivery of the statement. If only a limited number of copies can be provided, they may be given to the conference officer for placement at the back of the conference room.

Programme of work

6. The Secretariat should propose the programme of work of the Third Committee on the basis of experience gained at previous sessions of the Committee so that sufficient time is allocated for the consideration of a given item.

Questions for further consideration

7. Further consideration should be given to:

(*a*) The question of inviting eminent persons to address the Third Committee on the world social situation or other issues. It was considered that the experience of other Committees with that matter should be reviewed;

(*b*) The question of the revitalization of the Economic and Social Council and the relationship of that exercise to the work of the Third Committee;

(*c*) The relationship between the work of the Second Committee and that of the Third Committee.

Omnibus draft resolutions

8. Delegations are encouraged, to the extent possible, to draw up omnibus draft resolutions and to make resolutions as short and as concise as possible.

45/179. Enhancement of the United Nations structure for drug abuse control

The General Assembly,

Alarmed by the dramatic increase in drug abuse and illicit production and trafficking in narcotic drugs and psychotropic substances, which is threatening the health and well-being of millions of people in the majority of countries in the world,

Commending the determined efforts of Governments in the fight against drug abuse and illicit trafficking and recognizing the importance of support for such efforts by the United Nations system,

Noting with appreciation the significant work carried out within the United Nations system in the field of drug abuse control and the valuable knowledge, expertise and experience represented there, *Recognizing* that the new dimensions taken on by the drug menace necessitates a more comprehensive and integrated approach to international drug control and a more efficient structure to ensure co-ordination, complementarity and non-duplication of activities across the United Nations system in order to use available resources in the most efficient way to enable the United Nations to play a central and greatly enhanced role in this field,

Recalling the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, as adopted by the International Conference on Drug Abuse and Illicit Trafficking on 26 June 1987,[238] and the Global Programme of Action adopted by the General Assembly at its seventeenth special session on 23 February 1990,[234]

Having considered the report of the Secretary-General,[309]

Noting with appreciation the work carried out, pursuant to paragraph 4 of General Assembly resolution 44/141 of 15 December 1989, by the Group of Experts to advise and assist the Secretary-General on the enhancement of the efficiency of the United Nations structure for drug abuse control,[310]

Recalling the need to ensure, in respect of recruitment to posts that are financed from the regular budget, the highest standards of efficiency, competence and integrity, and paying due regard to the importance of recruiting staff on as wide a geographical basis as possible, in accordance with Article 101, paragraph 3, of the Charter of the United Nations,

Emphasizing that the problem of drug abuse and illicit trafficking has to be dealt with within the broader economic and social contexts,

Underlining the role of the Commission on Narcotic Drugs, as the principal United Nations policy-making body on drug control issues and the independent role of the International Narcotics Control Board,

Underlining also the importance of the Single Convention on Narcotic Drugs of 1961,[231] and that Convention as amended by the 1972 Protocol,[232] the Convention on Psychotropic Substances of 1971[233] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[92]

1. *Takes note with appreciation* of the report of the Secretary-General[309] and the report of the Group of Experts, entitled "Drugs and the United Nations: meeting the challenge";[310]

2. *Welcomes* the proposal of the Secretary-General to unify the United Nations structure for drug abuse control to enable the United Nations to strengthen its role as the main focus for concerted international action for drug abuse control;

3. *Requests* the Secretary-General to create a single drug control programme, to be called the United Nations International Drug Control Programme, based at Vienna, and to integrate fully therein the structures and the functions of the Division of Narcotic Drugs of the Secretariat, the secretariat of the International Narcotics Control Board and the United Nations Fund for Drug Abuse Control with the objective of enhancing the effectiveness and efficiency of the United Nations structure for drug abuse control in keeping with the functions and mandates of the United Nations in this field;

4. *Invites* the Secretary-General to take the necessary steps in order to appoint a senior official at the level of Under-Secretary-General, who will execute the integration process and head the new integrated Programme starting from 1 January 1991 with the exclusive responsibility for co-ordinating and providing effective leadership for all United Nations drug control activities, in order to ensure coherence of actions within the Programme as well as co-ordination, complementarity and non-duplication of such activities across the United Nations system;

5. *Also invites* the Secretary-General to structure the United Nations International Drug Control Programme along the following lines:

(*a*) Treaty implementation, which would integrate, with due consideration to treaty arrangements, the functions of the secretariat of the International Narcotics Control Board and the treaty implementation functions of the Division of Narcotic Drugs, taking into account the independent role of the Board;

(*b*) Policy implementation and research, with responsibility for implementing policy decisions of the relevant legislative bodies and conducting analytical work;

(*c*) Operational activities, with responsibility for coordinating and carrying out the technical co-operation projects currently being executed mainly by the United Nations Fund for Drug Abuse Control, the Division of Narcotic Drugs and the secretariat of the International Narcotics Control Board;

6. *Endorses* the proposal of the Secretary-General to place the financial resources of the existing United Nations Fund for Drug Abuse Control under the direct responsibility of the head of the United Nations International Drug Control Programme as a fund for financing operational activities, mainly in developing countries;

7. *Requests* the Commission on Narcotic Drugs, at its thirty-fourth regular session, to consider ways and means of improving its functioning as a policy-making body and to submit its recommendations to the Economic and Social Council at its first regular session of 1991;

8. *Requests* the Secretary-General to transmit his report and that of the Group of Experts to the Commission on Narcotic Drugs at its thirty-fourth regular session so that they can be taken into account when the Commission discusses ways and means of improving its functioning;

9. *Requests* the Economic and Social Council, as a matter of urgency at its first regular session of 1991, giving due consideration to the recommendations of the Commission on Narcotic Drugs, to undertake a review of the functioning of the Commission on Narcotic Drugs and decide on the appropriate changes needed to improve it;

10. *Requests* the Secretary-General to review the United Nations System-Wide Action Plan on Drug Abuse Control, as revised,[143] including all mandates and recommendations established by the Global Pro-

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[309] A/45/652.

[310] See A/45/652/Add.1, annex.

gramme of Action, in the light of structural changes decided on in the present resolution;

11. *Underlines* that the United Nations International Drug Control Programme should give priority to the implementation of the recommendations contained in the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, as well as the mandates and recommendations in the Global Programme of Action;

12. *Requests* that the appropriation within the regular budget of the United Nations currently allocated to the secretariat of the International Narcotics Control Board and the Division of Narcotic Drugs be reallocated to the United Nations International Drug Control Programme in accordance with the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, and invites the Secretary-General to ensure that adequate financial and other resources are allocated to the Programme to enable it to discharge its functions effectively;

13. *Decides* that the operational programme and related support costs currently financed from voluntary contributions shall, upon the establishment of the United Nations International Drug Control Programme, continue to be borne from voluntary contributions;

14. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the measures taken to implement the present resolution.

71st plenary meeting
21 December 1990

45/180. Developments relating to the activities of the Centre for Human Rights of the Secretariat

The General Assembly,

Recalling its resolution 44/135 of 15 December 1989,

Bearing in mind Commission on Human Rights resolutions 1989/46 of 6 March 1989[183] and 1990/25 of 27 February 1990,[3] as well as Economic and Social Council resolution 1990/47 of 25 May 1990,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic aims of the United Nations according to the Charter of the United Nations and an issue of the utmost importance for the Organization,

Recognizing that the work-load of the Centre for Human Rights of the Secretariat has increased rapidly in recent years, while resources have failed to keep pace with the increase in responsibilities,[311]

Noting that the difficult financial situation during the biennium 1990-1991 created considerable obstacles to the implementation of the various procedures and mechanisms, negatively influenced the servicing by the Secretariat of human rights bodies concerned and impaired the quality and precision of reporting,

Having considered the report of the Secretary-General[312] and noting that in spite of the recognition that the responsibilities of the Centre for Human Rights have increased rapidly in recent years, the only specific proposal made in the report as an interim solution for 1991 to the problems posed by the resource situation of the Centre, pursuant to the request made by the Economic and Social Council in its resolution 1990/47, is the reference to voluntary donations,

1. *Requests* the Secretary-General to act promptly to respond to the needs of the Centre for Human Rights of the Secretariat and to make additional specific proposals as interim solutions to these problems for the current biennium, in particular indicating the human resources required for the Centre to carry out its functions adequately, together with the related administrative and budgetary implications thereof, to the General Assembly not later than 10 December 1990, so that the budgetary process can be completed by the end of the current session;[313]

2. *Also requests* the Secretary-General, in conformity with his commitment,[314] to include in the proposed programme budget for the biennium 1992-1993 programme and resource proposals for long-term solutions to the problems posed by the situation in the Centre for Human Rights which respond to the needs of the Centre, are commensurate with its work-load and also take into account the need to respond to the requests for advisory services and technical assistance, primarily from developing countries, and the proposals contained in the report of the Task Force on Computerization,[315] and in the study carried out by an independent expert[316] concerning the effective implementation of international instruments on human rights;

3. *Further requests* the Secretary-General to submit an interim report on the implementation of the present resolution to the Commission on Human Rights at its forty-seventh session and a final report to the General Assembly at its forty-sixth session, under the item entitled "Report of the Economic and Social Council".

71st plenary meeting
21 December 1990

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[311] See E/1990/50.

[312] A/45/807.

[313] See A/C.5/45/66.

[314] See E/1990/50, para. 59.

[315] See E/CN.4/1990/39, annex.

[316] See A/44/668, annex.

VII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FOURTH COMMITTEE[1]

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45/16	Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (A/45/680)	111	20 November 1990	295
45/17	Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa (A/45/681)	112	20 November 1990	296
45/18	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (A/45/682)	113 and 12	20 November 1990	298
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45/20	Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (A/45/684)	115	20 November 1990	301
45/21	Question of Western Sahara (A/45/685)	18	20 November 1990	301
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45/25	Question of the British Virgin Islands (A/45/685)	18	20 November 1990	305
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45/31	Question of the United States Virgin Islands (A/45/685)	18	20 November 1990	312
45/32	Question of Guam (A/45/685)	18	20 November 1990	314

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[1] For the decisions adopted on the reports of the Fourth Committee, see sect. X.B.6.

45/16. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations[2] and the action taken by the Special Committee in respect of that information,

Having also examined the report of the Secretary-General on the question,[3]

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter and to take such information fully into account in examining the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, as well as its resolution 1541 (XV) of 15 December 1960,

Recalling also its resolution 44/83 of 11 December 1989, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

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[2] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 23* (A/45/23), chap. VIII.

[3] A/45/559.

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations;

2. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

3. *Requests* the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

4. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

5. *Requests* the Special Committee to continue to discharge the functions entrusted to it under General Assembly resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/17. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[4]

Recalling its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 1541 (XV) of 15 December 1960, and the Plan of Action for the Full Implementation of the Declaration, contained in the annex to its resolution 35/118 of 11 December 1980, as well as all its other relevant resolutions on this subject, including, in particular, resolution 44/84 of 11 December 1989,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that those economic and other activities which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstruct efforts aimed at the elimination of colonialism, *apartheid* and racial discrimination in southern Africa and other colonial Territories are in direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Reaffirming further that the natural resources of all Territories under colonial and racist domination are the heritage of the peoples of those Territories and that the depletive exploitation of those resources by foreign economic interests constitutes a direct violation of the rights of the peoples and of the principles of the Charter and all relevant resolutions of the United Nations,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Condemning the intensified activities of those foreign economic, financial and other interests that continue to exploit the natural and human resources of the colonial Territories and to accumulate and repatriate huge profits to the detriment of the interests of the inhabitants, thereby impeding the realization by the peoples of the Territories of their legitimate aspirations for self-determination and independence,

Strongly condemning the collaboration by certain countries with the racist minority régime of South Africa in the nuclear field, which, by providing that régime with nuclear equipment and technology, enables it to develop nuclear and military capabilities and to become a nuclear Power, thereby strengthening its abhorrent system of *apartheid,*

Concerned about any foreign economic, financial and other activities which continue to deprive the indigenous populations of colonial Territories in the Caribbean, the Pacific Ocean and other regions of their rights over the wealth of their countries, and concerned that the inhabitants of those Territories continue to suffer from a loss of land ownership as a result of the failure of the administering Powers concerned to restrict the sale of land to foreigners, despite the repeated appeals of the General Assembly,

Conscious of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests in the exploitation of natural and human resources, which impedes the independence of colonial Territories and the elimination of racism, particularly in South Africa, and emphasizing the importance of action by local authorities, trade unions, religious bodies, academic institutions, mass media, solidarity movements and other non-governmental organizations, as well as individuals, in applying pressure on transnational corporations to refrain from any investment or activity in South Africa, in encouraging a policy of systematic divestment of any financial or other interest in corporations doing business with South Africa and in counteracting all forms of collaboration with the *apartheid* régime,

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[4] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 23* (A/45/23), chap. V.

1. *Reaffirms* the inalienable right of the peoples of dependent Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. *Reiterates* that any administering or occupying Power that deprives the colonial peoples of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

3. *Reaffirms* that, by their depletive exploitation of natural resources, the continued accumulation and repatriation of huge profits and the use of those profits for the enrichment of foreign settlers and the perpetuation of colonial domination and racial discrimination in the Territories, the activities of foreign economic, financial and other interests operating at present in the colonial Territories constitute a major obstacle to political independence and racial equality, as well as to the enjoyment of the natural resources of those Territories by the indigenous inhabitants;

4. *Condemns* those activities of foreign economic and other interests in the colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the efforts to eliminate colonialism, *apartheid* and racial discrimination;

5. *Strongly condemns* the collaboration of the Governments of certain countries, in particular Israel, with the racist minority régime of South Africa in the nuclear field, and calls upon those and all other Governments concerned to refrain from supplying that régime, directly or indirectly, with installations, equipment or material that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

6. *Also strongly condemns* the collaboration with the racist minority régime of South Africa of certain countries as well as transnational corporations that continue to make new investments in South Africa and supply the régime with armaments, nuclear technology and all other materials that are likely to buttress it and thus aggravate the threat to world peace;

7. *Calls upon* all States to take urgent, effective measures to terminate all collaboration with the racist régime of South Africa in the political, economic, trade, military and nuclear fields and to refrain from entering into other relations with that régime in violation of the relevant resolutions of the United Nations and of the Organization of African Unity;

8. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of its resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

9. *Calls upon* those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of crude oil and petroleum products to the racist régime of South Africa;

10. *Reiterates* that the exploitation and plundering of the marine and other natural resources of colonial Territories by foreign economic interests, including the activities of those transnational corporations which are engaged in the exploitation and export of the natural resources of the Territories, in violation of the relevant resolutions of the General Assembly and the Security Council, are illegal and are a grave threat to the integrity and prosperity of those Territories;

11. *Reiterates its request* to all States, pending the imposition of comprehensive mandatory sanctions against South Africa, to take legislative, administrative and other measures, individually or collectively, as appropriate, in order effectively to isolate South Africa politically, economically, militarily and culturally, in accordance with the relevant resolutions of the General Assembly, and encourages those Governments that have recently taken certain unilateral sanction measures against the South African régime to take further measures;

12. *Invites* all Governments and organizations of the United Nations system, having regard to the relevant provisions of the Declaration on the Establishment of a New International Economic Order, contained in General Assembly resolution 3201 (S-VI) of 1 May 1974, and of the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, to ensure, in particular, that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

13. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial Territories to their natural resources, as well as their right to establish and maintain control over the future development of those natural resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

14. *Calls upon* the administering Powers concerned to abolish all discriminatory and unjust wage systems and working conditions prevailing in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

15. *Requests* the Secretary-General to undertake, through the Department of Public Information of the Secretariat, a sustained and broad campaign with a view to informing world public opinion of the facts concern-

ing the pillage of natural resources in colonial Territories and the exploitation of their indigenous populations by foreign economic interests;

16. *Appeals* to mass media, trade unions and non-governmental organizations, as well as individuals, to co-ordinate and intensify their efforts to mobilize international public opinion against the policy of the *apartheid* régime of South Africa and to work for the enforcement of economic and other sanctions against that régime and for encouraging a policy of systematic and genuine divestment from corporations doing business in South Africa;

17. *Decides* to continue to monitor closely the situation in the remaining colonial Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interests of the indigenous peoples, at promoting the economic and financial viability of those Territories and at speeding their accession to independence, and in that connection requests the administering Powers concerned to ensure that the peoples of the Territories under their administration are not exploited for political, military and other purposes detrimental to their interests;

18. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/18. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having considered the reports submitted on the item by the Secretary-General,[5] the Economic and Social Council[6] and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[7]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, its resolution 1541 (XV) of 15 December 1960, and the Plan of Action for the Full Implementation of the Declaration, contained in the annex to its resolution 35/118 of 11 December 1980, as well as all its other resolutions on this subject, in particular resolution 44/85 of 11 December 1989,

Recalling also its resolution S-16/1 of 14 December 1989, the annex to which contains the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Recalling relevant resolutions of the Caribbean Development and Co-operation Committee concerning the access of Non-Self-Governing Territories to programmes and activities of the United Nations system,

Noting the assistance extended thus far to colonial Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and considering that such assistance should be expanded further, commensurate with the pressing needs of the peoples concerned for external assistance,

Stressing the importance of securing additional resources for funding expanding programmes of assistance for the peoples concerned and the need to enlist the support of the major funding institutions within the United Nations system in that regard,

Noting with deep concern that destabilization by South Africa of the front-line and neighbouring States, whether through direct aggression, sponsorship of surrogates, economic subversion or other means, the forms and consequences of which stand well documented in United Nations and other publications, is unacceptable in all its forms and must not occur,

Reaffirming that it is the responsibility of the specialized agencies and other organizations of the United Nations system to take all the necessary measures, within their respective spheres of competence, to ensure the full and speedy implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, particularly those relating to the extension of assistance to the peoples of the colonial Territories,

Expressing its appreciation to the General Secretariat of the Organization of African Unity for the continued co-operation and assistance it has extended to the specialized agencies and other organizations of the United Nations system in connection with the implementation of the relevant resolutions of the United Nations, and convinced that closer contacts and consultations between the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of assistance programmes for the peoples concerned,

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[5] A/45/309 and Add.1.

[6] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 3* (A/45/3/Rev.1), chap. I and chap. VI, sect. D.

[7] *Ibid., Supplement No. 23* (A/45/23), chap. VII.

Noting with grave concern the extensive links and collaboration between the *apartheid* régime of South Africa and certain countries in the political, diplomatic, economic, nuclear, military and other fields, and the growing military and nuclear co-operation between racist Pretoria and Israel,

Bearing in mind the importance of the activities of non-governmental organizations aimed at putting an end to the assistance which is still being rendered to South Africa by some specialized agencies,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Territories and their vulnerability to natural disasters such as hurricanes and cyclones, and recalling relevant resolutions of the General Assembly,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item;[7]

2. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute, within their spheres of competence, to the full and speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the struggle of colonial peoples to exercise their right to self-determination and independence entails, as a corollary, the extension by the specialized agencies and other organizations of the United Nations system of all the necessary moral and material assistance to those peoples and their national liberation movements;

4. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to co-operate in varying degrees with the United Nations and the Organization of African Unity in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and urges all the specialized agencies and other organizations of the United Nations system to accelerate the full and speedy implementation of the relevant provisions of those resolutions;

5. *Requests* the specialized agencies and other organizations of the United Nations system to render or continue to render, as a matter of urgency, all possible moral and material assistance to the colonial peoples, bearing in mind that such assistance should not only meet their immediate needs but also create conditions for development after they have exercised their right to self-determination and independence;

6. *Requests once again* the specialized agencies and other organizations of the United Nations system to continue to provide all humanitarian, material and moral assistance to Namibia and all newly independent and emerging States so as to enable them to achieve genuine economic independence;

7. *Reiterates its recommendation* that the specialized agencies and other organizations of the United Nations system should initiate or broaden contacts and co-operation with the colonial peoples and the administering Powers concerned, directly or, where appropriate, through regional organizations, in order to intensify programmes of assistance and to facilitate and accelerate the implementation of General Assembly resolution 1514 (XV);

8. *Urges* the executive heads of the specialized agencies and other organizations of the United Nations system, in co-operation with the regional and other organizations where appropriate, to submit to their governing and legislative organs concrete proposals for the full implementation of the relevant United Nations decisions, particularly specific programmes of assistance to the peoples of the colonial Territories and their national liberation movements;

9. *Urges once again* the executive heads of the World Bank and the International Monetary Fund to draw the attention of their governing bodies to the present resolution, and urges them to introduce flexible procedures to prepare specific programmes for the peoples of the colonial Territories;

10. *Urges* the specialized agencies and other organizations of the United Nations system that have not already done so to include in the agenda of the regular meetings of their governing bodies a separate item on the progress they have made in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

11. *Requests* the specialized agencies and other organizations of the United Nations system, as well as international and regional organizations, to take appropriate measures within their respective spheres of competence in order to accelerate progress in the economic and social sectors of the colonial Territories;

12. *Welcomes* the continued initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system and in co-ordinating the activities of the agencies in extending effective assistance to the peoples of colonial Territories, and calls upon the specialized agencies and other organizations of the United Nations system, as a matter of urgency, to contribute generously to the relief, rehabilitation and reconstruction efforts in those Non-Self-Governing Territories affected by natural disasters;

13. *Urges* the administering Powers concerned to facilitate the participation of the representatives of the Governments of Trust and Non-Self-Governing Territories in the relevant meetings and conferences of the agencies and organizations so that the Territories may draw the maximum benefits from the related activities of the specialized agencies and other organizations of the United Nations system;

14. *Urges* the specialized agencies and other organizations of the United Nations system to adhere to the programme of action contained in the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, in particular with regard to increased sup-

port for the opponents of *apartheid*, the use of concerted and effective measures aimed at applying pressure to ensure a speedy end to *apartheid* and ensuring the non-relaxation of existing measures to encourage the South African régime to eradicate *apartheid* until there is clear evidence of profound and irreversible changes;

15. *Stresses*, in the context of the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, the need for the specialized agencies and other organizations of the United Nations system to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by South Africa's acts of aggression and destabilization, to withstand any further such acts and to continue to support the people of South Africa;

16. *Invites* the specialized agencies and other organizations of the United Nations system to co-operate with the Action for Resisting Invasion, Colonialism and *Apartheid* Fund set up by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986, with the common objective of providing emergency assistance to the front-line States and national liberation movements struggling against the *apartheid* régime;

17. *Condemns* the extensive links and collaboration between the *apartheid* régime of South Africa and certain countries in the political, diplomatic, economic, nuclear, military and other fields, and the growing military and nuclear co-operation between the racist régime and Israel;

18. *Recommends* that all Governments should intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations and, in that connection, should accord priority to the question of providing assistance on an emergency basis to the peoples of the colonial Territories;

19. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

20. *Requests* the Economic and Social Council to continue, as appropriate, to consider, in consultation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, appropriate measures for co-ordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

21. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

22. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/19. United Nations Educational and Training Programme for Southern Africa

The General Assembly,

Recalling its earlier resolutions on the United Nations Educational and Training Programme for Southern Africa, in particular resolution 44/86 of 11 December 1989,

Having considered the report of the Secretary-General[8] containing an account of the work of the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa and the administration of the Programme for the period from 1 September 1989 to 31 August 1990,

Noting with satisfaction that the recommendations of the evaluation of the Programme undertaken in 1989 as endorsed by the Advisory Committee are being implemented,

Recognizing the valuable assistance rendered by the Programme to the peoples of South Africa and Namibia,

Also noting with satisfaction that educational and technical assistance for southern Africa has become a growing concern of the international community,

Fully recognizing the need to provide continuing educational opportunities and counselling abroad to a greater number of students from South Africa and, during a transitional period, to students from Namibia, in a wide variety of professional, cultural and linguistic disciplines, as well as opportunities for vocational and technical training and for advanced studies at graduate and postgraduate levels in priority fields of study,

Strongly convinced that the continuation and steady expansion of the Programme is essential in order to meet the ever-increasing demand for educational and training assistance to students from South Africa and, during a transitional period, to students from Namibia,

1. *Endorses* the report of the Secretary-General on the United Nations Educational and Training Programme for Southern Africa;

2. *Commends* the Secretary-General and the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa for their continuing efforts to develop the Programme and further to promote generous contributions to the Programme and to enhance co-operation with governmental, intergovernmental and non-governmental agencies involved in educational and technical assistance to southern Africa;

3. *Expresses its appreciation* to all those that have supported the Programme by providing contributions, scholarships or places in their educational institutions;

4. *Appeals* to all States, institutions, organizations and individuals to offer greater financial and other sup-

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[8] A/45/553.

port to the Programme in order to secure its continuation and steady expansion.

44th plenary meeting
20 November 1990

45/20. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 44/87 of 11 December 1989,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,[9] prepared pursuant to General Assembly resolution 845 (IX) of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of Non-Self-Governing Territories,

Strongly convinced that the continuation and expansion of offers of scholarships is essential in order to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

1. *Takes note* of the report of the Secretary-General;

2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

44th plenary meeting
20 November 1990

45/21. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 44/88 of 11 December 1989,

Recalling resolution AHG/Res.104 (XIX) on Western Sahara,[10] adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to the joint proposals of the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to the holding of a referendum for self-determination of the people of Western Sahara, organized and supervised by the United Nations in co-operation with the Organization of African Unity,

Recalling further Security Council resolution 621 (1988) of 20 September 1988 concerning the question of Western Sahara,

Noting with satisfaction the appointment on 19 January 1990 of Mr. Johannes Manz as Special Representative of the Secretary-General for Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[11]

Having also examined the report of the Secretary-General,[12]

Reiterating its support for the joint good offices process initiated in New York on 9 April 1986 by the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to promoting a just and definitive solution of the question of Western Sahara, in accordance with resolution AHG/Res.104 (XIX) and General Assembly resolution 40/50 of 2 December 1985,

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Reaffirms* that the question of Western Sahara is a question of decolonization which remains to be completed on the basis of the exercise by the people of Western Sahara of their inalienable right to self-determination and independence;

3. *Welcomes with satisfaction* the report submitted by the Secretary-General to the Security Council on the situation concerning Western Sahara,[13] which was unanimously approved by the Council in its resolution 658 (1990) of 27 June 1990;

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[9] A/45/560.

[10] For the text, see resolution 38/40, para. 1.

[11] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 23* (A/45/23), chap. IX.

[12] A/45/644 and Corr.1.

[13] S/21360; see *Official Records of the Security Council, Forty-fifth Year, Supplement for April, May and June 1990,* document S/21360.

4. *Notes with appreciation* the dispatching to Western Sahara and to neighbouring countries of the technical mission in order to refine the administrative aspects of the outlined plan[14] and to obtain the necessary information for the preparation of a further report of the Secretary-General to the Security Council containing, in particular, an estimate of the cost of the United Nations Mission for the Referendum in Western Sahara;

5. *Expresses its full support* for the efforts of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to promote a just and definitive solution of the question of Western Sahara, in accordance with General Assembly resolution 40/50;

6. *Urges* the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to continue and intensify their efforts with a view to resolving the remaining problems and thus to fulfil the necessary conditions for the holding of a referendum for self-determination of the people of Western Sahara, without any administrative or military constraints, organized and supervised by the United Nations in co-operation with the Organization of African Unity;

7. *Reaffirms its conviction* that the direct dialogue between the two parties to the conflict could contribute to the completion of the joint good offices process of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations, to the restoration of peace in Western Sahara and to stability and security in the whole region;

8. *Appeals once again* to the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to display the co-operation and the political good will necessary for the completion of the peace process with a view to a speedy settlement of the question of Western Sahara;

9. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its forty-sixth session;

10. *Invites* the Secretary-General of the Organization of African Unity to keep the Secretary-General of the United Nations informed of the progress achieved in the implementation of the decisions of the Organization of African Unity relating to Western Sahara;

11. *Invites* the Secretary-General to follow the situation in Western Sahara closely with a view to the implementation of the present resolution and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/22. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[11]

Reaffirming the importance of the universal realization of the right of peoples to self-determination,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the positive measures that continue to be pursued in New Caledonia by the French authorities, in co-operation with all sectors of the population, to promote political, economic and social development in the Territory, in order to provide a framework for its peaceful progress to self-determination,

Acknowledging the close links between New Caledonia and the peoples of the South Pacific and the positive actions of the French authorities to facilitate the further development of those links,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia;[15]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain their dialogue in a spirit of harmony;

3. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians;

4. *Requests* the Special Committee to continue the examination of this question at its next session and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/23. Question of Anguilla

The General Assembly,

Having considered the question of Anguilla,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[16]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Anguilla, including in particular General Assembly resolution 44/94 of 11 December 1989,

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[14] *Ibid.*, part II.

[15] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 23* (A/45/23), chap. IX, sect. B.3.

[16] *Ibid.*, chaps. IV, V and IX.

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,[17]

Recalling the results of the general elections of February 1989 and the statement of the Chief Minister that the Government of Anguilla had no intention of moving towards independence during its current term of office,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,[18]

Noting that the Government of the United Kingdom has agreed to several of the constitutional changes recommended by the Anguilla House of Assembly and that those agreed upon have been referred to the legal advisers of the Foreign and Commonwealth Office, who were instructed to begin work on the amendments, and that in January 1990 a territorial government delegation visited London to discuss the amendments to the Constitution,

Noting that the administering Power has not changed its position regarding the restriction, or delegation to ministers of the territorial Government, of any or all of the Governor's special responsibilities without setting a time-frame for independence,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Reaffirming the responsibility of the administering Power to promote the economic and social development of the Territory,

Expressing its concern at the continued illegal operation of foreign fishing vessels within the territorial waters of Anguilla, and welcoming the measures taken by the territorial Government and the Organization of Eastern Caribbean States to protect and conserve marine resources and to control the activities of foreign fishermen operating illegally in the area,

Stressing the importance of an efficient and effective civil service, and noting the measures being taken by the territorial Government aimed at alleviating the problem of unemployment and providing increased job opportunities,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the contribution to the development of the Territory by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

Recalling that in 1987 Anguilla became a member of the Eastern Caribbean Central Bank and that it continues to participate and maintain an active interest in the related activities of other regional organizations,

Recalling also the dispatch in 1984 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to Anguilla at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Anguilla;[19]

2. *Reaffirms* the inalienable right of the people of Anguilla to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to Anguilla;

4. *Reiterates* that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the Territory as will enable the people of Anguilla to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of Anguilla themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination and independence;

6. *Calls upon* the administering Power to continue, in co-operation with the territorial Government, to strengthen the economy and to increase its assistance to programmes of diversification;

7. *Urges* the administering Power, in co-operation with the territorial Government, to continue the assistance necessary to increase employment of the local population in the civil service and other sectors of the economy;

8. *Also urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Anguilla to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, and in this connection takes note of reports of the possible sale of

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[17] *Ibid., Forty-fifth Session, Fourth Committee*, 12th meeting, and corrigendum.

[18] A/AC.109/944 and Corr.1, para. 17.

[19] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 23* (A/45/23), chap. IX, sect. B.5.

one of Anguilla's offshore islands to an international group of bankers;

9. *Calls upon* the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. *Invites* the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

11. *Reiterates its request* to the administering Power to continue to make every effort to facilitate and encourage the participation of the Territory in regional and international organizations;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Anguilla at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/24. Question of Bermuda

The General Assembly,

Having considered the question of Bermuda,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[20]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Bermuda, in particular General Assembly resolution 44/92 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,[17]

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,[18]

Noting that, following the general elections of 1989, during which the ruling United Bermuda Party retained power in the House of Assembly despite the loss of eight seats, its leader, the Prime Minister, stated that the question of independence was no longer a major issue because the majority of the people did not seem to want independence at present,

Noting that the leader of the largest opposition party, the Progressive Labour Party, considers that independence would help to unify the people of Bermuda and that the Governor of Bermuda stated that the Government of Bermuda recognized that it had a responsibility to obtain pertinent information on the question of independence should circumstances change,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Noting that in January 1988 the Government of Bermuda started work on a new development plan for the Territory with a view to involving the public as closely as possible in its preparation,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting with appreciation the continued contribution of the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank, to the development of the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in Non-Self-Governing Territories, and considering that the possibility of sending a visiting mission to Bermuda at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Bermuda;[21]

2. *Reaffirms* the inalienable right of the people of Bermuda to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to Bermuda;

4. *Reiterates* that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the Territory as will enable the people of Bermuda to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of Bermuda themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination and independence;

6. *Reaffirms its strong conviction* that the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-

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[20] *Ibid.*, chaps. IV to VI and IX.

[21] *Ibid.*, chap. IX, sect. B.6.

determination and independence in conformity with the purposes and principles of the Charter;

7. *Urges* the administering Power to continue to take all necessary measures not to involve Bermuda in any offensive acts or interference directed against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

8. *Also urges* the administering Power, in co-operation with the territorial Government, to continue to take effective measures to safeguard and guarantee the inalienable right of the people of Bermuda to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

9. *Reaffirms* the responsibility of the administering Power to promote the economic and social development of the Territory, and recommends that priority should continue to be given to the diversification of the Territory's economy in order to provide the foundations for sound social and economic development;

10. *Calls upon* the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

11. *Invites* the specialized agencies and other organizations of the United Nations system to continue to provide assistance for the development needs of Bermuda;

12. *Reaffirms* the value of sending a visiting mission to the Territory, and requests the administering Power to facilitate the dispatch of such a mission at the earliest possible opportunity;

13. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a visiting mission to Bermuda at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/25. Question of the British Virgin Islands

The General Assembly,

Having considered the question of the British Virgin Islands,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[22]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the British Virgin Islands, including in particular General Assembly resolution 44/95 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,[17]

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,[18]

Bearing in mind also the announcement of 22 December 1987 by the territorial Government that it would introduce legislation to revise the electoral laws of the Territory to provide for continuous voter registration,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Expressing its concern over the continued illegal operations of foreign fishermen, and stressing that this uncontrolled exploitation could deplete current fish stocks and adversely affect future yields,

Noting that expatriates still account for a large share of the employed labour force and that there is a critical need for the training of nationals in the technical, vocational, managerial and professional fields, and welcoming the establishment of the British Virgin Islands College, which would meet the needs of the public and private sectors of the Territory,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Welcoming the contribution to the development of the Territory by the specialized agencies and other organizations of the United Nations system, particularly the United Nations Development Programme, as well as by regional organizations,

Noting the continued participation of the Territory in regional and other international organizations,

Noting also the severe effects of hurricane Hugo on the Territory's economy, particularly on its infrastructure and on its agriculture and tourism sectors, as well as the adverse consequences of the hurricane on the Government's economic diversification efforts,

Recalling the dispatch in 1976 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the British Virgin Islands at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the British Virgin Islands;[23]

2. *Reaffirms* the inalienable right of the people of the British Virgin Islands to self-determination and independence in conformity with the Declaration on the

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[22] *Ibid.*, chaps. IV and IX.

[23] *Ibid.*, chap. IX, sect. B.7.

Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to the British Virgin Islands;

4. *Reiterates* that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the Territory as will enable the people of the British Virgin Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of the British Virgin Islands themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination;

6. *Reaffirms* the responsibility of the administering Power to promote the economic and social development of the Territory, and calls upon the administering Power to intensify its efforts, in co-operation with the territorial Government, to broaden the economic base of the Territory through diversification and to continue to increase its assistance to the Territory in the rehabilitation and reconstruction of the economy;

7. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the British Virgin Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. *Reiterates its call upon* the administering Power, in co-operation with the territorial Government, to facilitate the adoption of a human resources training programme in order to expand the participation of the local population in the decision-making process in all sectors and to fill managerial and technical positions with local persons;

9. *Calls upon* the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. *Reiterates its appeal* to the administering Power to continue to facilitate the participation of the British Virgin Islands in various international and regional organizations and in organizations of the United Nations system;

11. *Invites* the specialized agencies and other organizations of the United Nations system, as well as the regional organizations concerned, to intensify measures to accelerate progress in the social and economic development of the Territory;

12. *Urges* Member States and specialized agencies and other organizations of the United Nations system to extend all possible assistance with a view to rehabilitating and reconstructing the Territory, which was devastated by hurricane Hugo;

13. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the British Virgin Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/26. Question of the Cayman Islands

The General Assembly,

Having considered the question of the Cayman Islands,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[16]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the Cayman Islands, in particular General Assembly resolution 44/91 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,[17]

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,[18]

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Noting the measures being taken by the territorial Government to promote agricultural production with a view to reducing the Territory's dependence on imported provisions,

Expressing its concern that property and land continue to be owned and developed largely by investors from abroad,

Noting that a large proportion of the labour force of the Territory consists of expatriates, and that there is a critical need for the training of nationals in the technical, vocational, managerial and professional fields,

Noting also the efforts of the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, *Noting* the signing in November 1989 at Miami, United States of America, by the Government of the Cayman Islands, together with eighteen other countries of the region, of a Caribbean customs agreement entitled "Memorandum of Understanding regarding Mutual Assistance and Co-operation for the Prevention and Repression of Customs Offences in the Caribbean Zone",

Noting with appreciation the continued contribution of the United Nations Development Programme, as well as regional institutions, to the development of the Territory,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the Cayman Islands at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Cayman Islands;[24]

2. *Reaffirms* the inalienable right of the people of the Cayman Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to the Cayman Islands;

4. *Reiterates* that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the Territory as will enable the people of the Cayman Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of the Cayman Islands themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination and independence;

6. *Calls upon* the administering Power, in consultation with the territorial Government, to facilitate the expansion of the current localization programme to promote increased participation of the local population in the decision-making process;

7. *Reaffirms* the responsibility of the administering Power to promote the economic and social development of the Territory, and recommends that priority should continue to be given to the diversification of the Territory's economy;

8. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the Cayman Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

9. *Calls upon* the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. *Invites* the specialized agencies and other organizations of the United Nations system, as well as other international and regional institutions, to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

11. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the Cayman Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/27. Question of Montserrat

The General Assembly,

Having considered the question of Montserrat,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[16]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Montserrat, including in particular General Assembly resolution 44/96 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,[17]

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,[18]

Noting the constitutional developments that have been taking place in the Territory as well as the conclusion, on 13 February 1990, of the consultations between the administering Power and the territorial Government on matters referring to the new Constitution,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

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[24] *Ibid.*, sect. B.8.

Noting that emigration would exacerbate the shortage of human resources, and emphasizing the importance of taking measures to broaden the educational programme to develop the human resources of the Territory,

Welcoming the contribution to the development of the Territory by the specialized agencies and other organizations of the United Nations system operating in Montserrat, in particular the United Nations Development Programme and the United Nations Children's Fund,

Noting with concern the continued dissociation of the Territory from the activities of the United Nations Educational, Scientific and Cultural Organization since the withdrawal by the administering Power of the associate membership of Montserrat from that organization in 1983, and aware of the active interest of the Government of Montserrat in the readmission of the Territory as an associate member of the organization,

Expressing its sympathy to the people of Montserrat for the devastation wrought on the Territory by hurricane Hugo in 1989, and welcoming the assistance extended to the Territory by the administering Power, other Member States and relevant organizations of the United Nations system,

Noting that, owing to the magnitude of the devastation in Montserrat, the Territory will require substantial assistance in its rehabilitation and reconstruction efforts,

Recalling the dispatch in 1975 and 1982 of United Nations visiting missions to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to Montserrat at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Montserrat;[25]

2. *Reaffirms* the inalienable right of the people of Montserrat to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to Montserrat;

4. *Reiterates* that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the Territory as will enable the people of Montserrat to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of Montserrat themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and reiterates its call upon the administering Power to launch programmes, in co-operation with the territorial Government, to foster an awareness among the people of Montserrat of the possibilities available to them in the exercise of their right to self-determination and independence;

6. *Reaffirms* that it is the responsibility of the administering Power to promote the economic and social development of the Territory, and reiterates the importance of diversifying the Territory's economy in order to provide the foundations for sound social and economic development;

7. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Montserrat to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. *Also urges* the administering Power, in co-operation with the territorial Government, to provide incentives to assist nationals in finding better opportunities at home and to attract qualified nationals from abroad, as well as to continue to provide the necessary assistance to develop the Territory's human resources through the rationalization of the educational system;

9. *Invites* the specialized agencies and other organizations of the United Nations system, as well as other international and regional organizations, to intensify their efforts to accelerate progress in the economic and social life of the Territory;

10. *Urges* the administering Power, other Member States and relevant agencies of the United Nations system to continue to contribute generously to rehabilitation and reconstruction efforts in the Territory, in accordance with General Assembly resolution 44/3 of 12 October 1989;

11. *Calls upon* the administering Power, in co-operation with the territorial Government, to take urgent steps to facilitate the readmission of Montserrat as an associate member of the United Nations Educational, Scientific and Cultural Organization;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Montserrat at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/28. Question of the Turks and Caicos Islands

The General Assembly,

Having considered the question of the Turks and Caicos Islands,

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[25] *Ibid.*, sect. B.9.

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[16]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the Turks and Caicos Islands, including in particular General Assembly resolution 44/93 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,[17]

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence,[18]

Recalling that the efforts of the administering Power to resolve the 1986 constitutional crisis in the Territory resulted in the drafting of a new Constitution by the administering Power and the subsequent holding of general elections in March 1988,

Noting the entry into force of the new Constitution under the Turks and Caicos Islands Constitution Order 1988,

Aware of the special circumstances of the geographical location and economic conditions of the Turks and Caicos Islands, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability and develop a wider economic base for the Territory,

Noting the announcement by the United Kingdom that, as from 1 January 1990, the territorial waters of the Turks and Caicos Islands would be expanded from three to twelve miles,

Welcoming the adoption by the territorial Government of a national development plan aimed at expanding the infrastructure of the Territory and strengthening several key sectors, including tourism, fisheries, water resources management and human resources development, and noting the appointment by the territorial Government of a new Tourist Board that is fully representative of all sectors of the industry and aimed at ensuring that Turks and Caicos Islanders have an equal opportunity to join the mainstream of development and employment in tourism,

Noting the establishment, under the 1988 Constitution, of a Public Service Commission to advise the Governor on civil service matters and of a Public Service Training Board under the Commission to advise on, and assist in, the supervision of policies and programmes for the training of public officers at all levels,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the continuing contribution of the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank, to the economic and social development of the Territory,

Recalling the dispatch in 1980 of two United Nations visiting missions to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the Turks and Caicos Islands at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Turks and Caicos Islands;[26]

2. *Reaffirms* the inalienable right of the people of the Turks and Caicos Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to the Turks and Caicos Islands;

4. *Reiterates* that it is the obligation of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the Territory as will enable the people of the Turks and Caicos Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of the Turks and Caicos Islands themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination and independence;

6. *Also reaffirms* that it is the responsibility of the administering Power under the Charter to develop its dependent Territories economically and socially, and urges the administering Power, in consultation with the Government of the Turks and Caicos Islands, to take the necessary measures to promote the economic and social development of the Territory;

7. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the Turks and Caicos Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. *Also urges* the administering Power, in consultation with the territorial Government, to continue to

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[26] *Ibid.*, sect. B.12.

provide the necessary assistance for the localization of the civil service at all levels and for the training of local personnel;

9. *Calls upon* the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. *Invites* the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

11. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the Turks and Caicos Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/29. Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[22]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Tokelau, in particular General Assembly resolution 44/90 of 11 December 1989,

Having heard the statement of the representative of New Zealand, the administering Power,[27]

Noting the continuing devolution of power to the local authority, the General *Fono* (Council), and mindful that the cultural heritage and traditions of the people of Tokelau should be taken fully into account in the evolution of Tokelau's political institutions,

Welcoming the information that Tokelau's wish to pursue avenues that give greater political autonomy to its leadership remains keen, while it wishes to maintain its current relationship with the administering Power,

Welcoming also the continued progress towards the drafting of a legal code that is in conformity with the traditional laws and cultural values of Tokelau,

Noting with satisfaction the creation within the New Zealand Ministry of External Relations and Trade of a Tokelau Unit, and expressing its hope that this will further facilitate and enhance the relations between the Territory and the administering Power,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Noting the inspection of the Tokelau Public Service and its staff at Apia undertaken by the New Zealand State Services Commission in early 1989, and expressing the hope that the completion of this inspection will contribute to the development of the Public Service of the Territory,

Reaffirming the responsibility of the administering Power to promote the economic and social development of the Territory, and noting the measures being taken by the Government of New Zealand in that regard,

Noting with appreciation the continued contribution of the United Nations Development Programme to the development of the Territory,

Also noting with appreciation the relief assistance extended to Tokelau by the administering Power, other Member States and international organizations, in particular the United Nations Development Programme and the Office of the United Nations Disaster Relief Co-ordinator, following the natural disasters caused by cyclone Ofa in February 1990,

Recalling the decision of the General *Fono* to include Tokelau in the Multilateral Fisheries Treaty between the United States of America and States members of the South Pacific Forum Fisheries Agency, and urging the administering Power to ensure that the fishing grounds of the Territory are protected,

Noting the strong opposition expressed by the people of Tokelau to nuclear testing in the Pacific region and their concern that those tests constitute a grave threat to the natural resources of the Territory and its social and economic development,

Noting the other major environmental concerns expressed by the people of Tokelau, including the impact that a sea-level rise resulting from global climate change would have on the low-lying atolls of Tokelau, the dumping of toxic waste in the region and the practice of driftnet fishing,

Welcoming the assistance extended to Tokelau by the United Nations Development Programme, and taking note of the consideration being given to the installation of a new satellite system in the Territory with a view to assisting the free flow of information, as well as the education process in the Territory,

Noting that the administering Power is investigating ways of improving the shipping services to Tokelau to ensure better communication with the outside world, and that efforts are being made towards the early establishment of an inter-atoll service,

Recalling the dispatch in 1976, 1981 and 1986 of United Nations visiting missions to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to Tokelau at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of In-

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[27] *Ibid., Forty-fifth Session, Fourth Committee,* 11th meeting, and corrigendum.

dependence to Colonial Countries and Peoples relating to Tokelau;[28]

2. *Reaffirms* the inalienable right of the people of Tokelau to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration, which fully applies to Tokelau;

4. *Reiterates* that it is the responsibility of New Zealand, as the administering Power, to create such conditions in the Territory as will enable the people of Tokelau to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of Tokelau themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination and independence;

6. *Also reaffirms* the responsibility of the administering Power to promote the economic and social development of the Territory, and recommends that priority should continue to be given to the diversification of the Territory's economy in order to provide the foundations for sound social and economic development;

7. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Tokelau to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. *Urges* the Government of New Zealand, the administering Power, to continue to respect fully the wishes of the people of Tokelau in carrying out the Territory's political and economic development, in order to preserve their social, cultural and traditional heritage;

9. *Calls upon* the administering Power, in consultation with the General *Fono* (Council), to continue to expand its development assistance to Tokelau in order to promote the economic and social development of the Territory;

10. *Invites* the specialized agencies and other organizations of the United Nations system, as well as other international and regional institutions, to extend or continue to extend all possible assistance to Tokelau, in consultation with the administering Power and the people of Tokelau;

11. *Invites* all governmental and non-governmental organizations, financial institutions, Member States and organizations of the United Nations system to grant Tokelau special emergency economic assistance to mitigate the effects of cyclone Ofa and to enable the Territory to meet its medium- and long-term reconstruction and rehabilitation requirements;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Tokelau at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/30. Question of American Samoa

The General Assembly,

Having considered the question of American Samoa,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[22]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to American Samoa, in particular General Assembly resolution 44/97 of 11 December 1989,

Conscious of the need to promote progress towards the full implementation of the Declaration in respect of American Samoa,

Having heard the statement of the representative of the United States of America, as the administering Power,[17]

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Noting with grave concern the destruction wrought by cyclone Ofa in February 1990, and, in this respect, noting the speedy emergency assistance provided to the Territory by the administering Power and by the specialized agencies and other organizations of the United Nations system,

Recalling the dispatch in 1981 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non Self-Governing Territories, and reaffirming the value of sending, at an appropriate time, a further visiting mission to American Samoa,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to American Samoa;[29]

2. *Reaffirms* the inalienable right of the people of American Samoa to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

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[28] *Ibid., Forty-fifth Session, Supplement No. 23* (A/45/23), chap. IX, sect. B.13.

[29] *Ibid.*, sect. B.14.

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to American Samoa;

4. *Reiterates* that it is the responsibility of the United States of America, as the administering Power, to create such conditions in the Territory as will enable the people of American Samoa to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* that it is ultimately for the people of American Samoa themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination and independence;

6. *Also reaffirms* the responsibility of the administering Power to promote the economic and social development of American Samoa, and recommends that priority should be given to the diversification of the Territory's economy in order to provide the foundations for sound social and economic development, to reduce its heavy economic and financial dependence on the United States and to create more employment opportunities for the people of the Territory;

7. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of American Samoa to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. *Urges* that, because of the destruction wrought by cyclone Ofa, emergency assistance to the Territory be continued;

9. *Invites* the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

10. *Urges* the administering Power to continue to foster close relations between the Territory and other island communities in the region and to promote co-operation between the territorial Government and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

11. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to American Samoa at an appropriate time and in consultation with the administering Power, taking into account, in particular, the wishes of the people of the Territory, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/31. Question of the United States Virgin Islands

The General Assembly,

Having considered the question of the United States Virgin Islands,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[20]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the United States Virgin Islands, including in particular General Assembly resolution 44/99 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power,[17]

Noting the statement by the representative of the administering Power that her Government continues to maintain its long-standing support for the principle of self-determination and that the Territories under its administration are pursuing their right to self-determination at a pace of their own choosing,[30]

Also noting the statement by the representative of the administering Power that the referendum on the future status of the United States Virgin Islands planned for November 1989 had been rescheduled by the territorial Government for June 1991, as a result of the devastation of hurricane Hugo in September 1989, and that provision had been made for a further run-off election in December 1991,[30]

Noting that the public education programme was begun in January 1989 and that efforts are being made to streamline the political education and referendum process by, *inter alia,* dividing the seven political options into three categories,

Noting the statement by the representative of the Territory that the Commission on Status and Federal Relations considered, *inter alia,* the relevance of international law in the process of self-determination, voter residency requirements for political status referendums and the role of the United Nations in observing acts of self-determination, and noting also the concerns expressed by the Commission and the territorial Government regarding residency requirements for participation in acts of self-determination, and the relevant United Nations resolutions regarding acts of self-determination in colonial Territories,[31]

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Recalling with concern the devastation caused by hurricane Hugo to the Territory, particularly to its social and economic infrastructure and to the tourism and agricultural sectors,

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[30] *Ibid.*, sect. B.16, para. 103 (5).

[31] *Ibid.*, para. 103 (7).

Noting the statement by the Governor of the Territory in February 1990 that he had requested permission from the administering Power to seek associate membership in the Organization of Eastern Caribbean States,[32]

Noting the objections of the administering Power to the request by the United States Virgin Islands for associate membership in the Organization of Eastern Caribbean States and its statement that it would continue to encourage and support the Territory's informal co-operation with the members of that organization,

Noting the continued concern expressed by a petitioner at the reclamation and development of submerged land at Long Bay in the Charlotte Amalie Harbour, and noting also the statement by the representative of the administering Power that the issue had been settled by litigation and that those activities were subject to the regulatory powers of the Government of the Territory,[33]

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the active interest of the Government of the United States Virgin Islands in participating in the related work of the international and regional organizations concerned,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to the United States Virgin Islands at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the United States Virgin Islands;[34]

2. *Reaffirms* the inalienable right of the people of the United States Virgin Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to the United States Virgin Islands;

4. *Reiterates* that it is the responsibility of the United States of America, as the administering Power, to continue to create such conditions in the United States Virgin Islands as will enable the people of the Territory to exercise freely and without interference their inalienable right to self-determination and independence in conformity with General Assembly resolution 1514 (XV);

5. *Reaffirms* that it is ultimately for the people of the United States Virgin Islands themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in co-operation with the territorial Government, to facilitate programmes of political education in the Territory in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination;

6. *Reaffirms* the responsibility of the administering Power to continue to promote the economic and social development of the United States Virgin Islands, and reiterates the importance of diversifying the Territory's economy with a view to reducing its heavy economic dependence on the administering Power;

7. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of the United States Virgin Islands to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

8. *Expresses its concern* about the continued depletion of the Territory's marine resources, and urges the administering Power, in consultation with the territorial Government, to take the necessary steps to reverse this trend;

9. *Calls upon* the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. *Urges* the administering Power to facilitate the participation of the United States Virgin Islands in various international and regional organizations;

11. *Also urges* the administering Power, Member States and relevant agencies of the United Nations system to continue to contribute generously towards the rehabilitation and reconstruction of the Territory in accordance with resolution 44/99;

12. *Invites* the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

13. *Urges* the administering Power to continue to take all necessary measures to comply fully with the purposes and principles of the Charter, the Declaration and the relevant resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

14. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the United States Virgin Islands at an appropriate time and in consultation with the administering Power, particularly in the light of the referendum referred to in the seventh and eighth preambular paragraphs of the

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[32] *Ibid.*, para. 103 (14).

[33] *Ibid.*, para. 103 (13).

[34] *Ibid.*, sect. B.16.

present resolution, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

45/32. Question of Guam

The General Assembly,

Having considered the question of Guam,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[35]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Guam, in particular General Assembly resolution 44/98 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power,[17]

Recalling that, in referendums held in Guam in 1987, the people of Guam endorsed a draft Commonwealth Act that, upon expeditious enactment by the Congress of the United States of America, would reaffirm the right of the people of Guam to draft their own constitution and to govern themselves,

Noting that the draft Commonwealth Act provides that the Congress of the United States would recognize the inalienable right to self-determination of the Chamorro people, for which provisions would be made in the Guam constitution,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Recalling that the 1977 Guam Land Use Plan recommended the release of 2,100 hectares of surplus federal land to the Government of Guam, and noting that, according to information transmitted to the Special Committee in April 1990 by the Guam Commission on Self-Determination, 190 hectares had been transferred by the Navy to the Government of Guam, a further 462 hectares of the identified land had been released and an additional 175 hectares are in the process of being returned to the Government of Guam,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Noting the statement of the representative of the administering Power concerning the growth in tourism and the desire of the Government of Guam for balanced economic growth,[36]

Noting also the statement of the representative of the administering Power that the cultural identity of the Chamorro people, the indigenous inhabitants of Guam, would be recognized,[37]

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and reiterating that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review,

1. *Approves* the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Guam;[38]

2. *Reaffirms* the inalienable right of the people of Guam to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates its conviction* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration, which fully applies to Guam;

4. *Reiterates* that it is the responsibility of the administering Power to create such conditions in the Territory as will enable the people of Guam to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. *Reaffirms* the importance of fostering an awareness among the people of Guam of the possibilities open to them with regard to their right to self-determination, and calls upon the United States of America, as the administering Power, in co-operation with the territorial Government, to expedite the process of decolonization strictly in accordance with the expressed wishes of the people of the Territory;

6. *Reaffirms its strong conviction* that the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

7. *Urges* the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military

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[35] *Ibid.*, chaps. IV, VI and IX.

[36] *Ibid.*, chap. IX, sect. B.15, para. 94 (9).

[37] *Ibid.*, para. 94 (5).

[38] *Ibid.*, sect. B.15.

activities and arrangements by colonial Powers in Territories under their administration;

8. *Reaffirms* the responsibility of the administering Power, under the Charter, to promote the economic and social development of Guam, and in that connection calls upon the administering Power to take further steps to strengthen and diversify the economy of the Territory, with a view to reducing its economic dependence on the administering Power;

9. *Reiterates* that one of the obstacles to economic growth in Guam is the holding of large tracts of land by the United States federal authorities, and calls upon the administering Power, in co-operation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

10. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Guam to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, as well as to support measures by the territorial Government aimed at removing constraints to growth in commercial fishing and agriculture;

11. *Also urges* the administering Power to give full recognition to the status and rights of the Chamorro people;

12. *Invites* the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

13. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

VIII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIFTH COMMITTEE[1]

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[1] For the decisions adopted on the reports of the Fifth Committee, see sect. X.B.7.

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45/235. Financial reports and audited financial statements, and reports of the Board of Auditors

The General Assembly,

Having considered the financial reports and audited financial statements for the period ended 31 December 1989 of the United Nations, including the International Trade Centre and the United Nations University,[2] the United Nations Development Programme,[3] the United Nations Children's Fund,[4] the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[5] the United Nations Institute for Training and Research,[6] the voluntary funds administered by the United Nations High Commissioner for Refugees,[7] the Fund of the United Nations Environment Programme,[8] the United Nations Population Fund,[9] and the United Nations Habitat and Human Settlements Foundation,[10] the reports and audit opinions of the Board of Auditors,[11] the concise summary of the principal findings, conclusions and recommendations for remedial action of the Board of Auditors,[12] and the report of the Advisory Committee on Administrative and Budgetary Questions,[13]

Recognizing the progress made in the implementation of General Assembly resolution 44/183 of 19 December 1989,

Noting with appreciation the steps taken by executive heads and governing bodies of the United Nations organizations and programmes to give appropriate consideration and attention to the audit reports,

Taking into consideration the views expressed by delegations, by the Board of Auditors, by the Advisory Committee and by representatives of the United Nations organizations and programmes during the debate in the Fifth Committee on this item,[14] and the widely expressed support for measures to improve the efficiency, management, financial accountability and budgetary control of the United Nations organizations and programmes concerned,

Noting with concern that the Board of Auditors, for the reasons stated in its reports, issued qualified audit opinions on the financial statements of the United Nations, the United Nations Development Programme and the United Nations Population Fund, and also issued a qualified audit opinion on compliance with the financial regulations and legislative authority on the transactions of the United Nations Institute for Training and Research,

Noting the efforts by a number of United Nations organizations and programmes to improve the format of financial statements and the accounting policies followed,

1. *Accepts* the financial reports and audited financial statements and the audit opinions and reports of the Board of Auditors regarding the aforementioned organizations;

2. *Requests* the governing bodies of the United Nations Development Programme and the United Nations Population Fund to require the executive heads concerned:

(*a*) To intensify their efforts to correct or improve the conditions that gave rise to the qualification of audit opinions of the Board of Auditors;

(*b*) To issue and implement comprehensive and specific guidelines in order to delineate appropriately programme expenditure, programme support and administrative expenditures;

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[2] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 5* and corrigenda (A/45/5) , vol. I and Corr.1 and 2, sects. I and V; vol. II, sects. I and V; and vol. III, sects. I and V.

[3] *Ibid., Supplement No. 5A* (A/45/5/Add.1), sects. I and V.

[4] *Ibid., Supplement No. 5B* and corrigendum (A/45/5/Add.2 and Corr.1), sects. I and IV.

[5] *Ibid., Supplement No. 5C* (A/45/5/Add.3), sects. I and V.

[6] *Ibid., Supplement No. 5D* (A/45/5/Add.4), sects. I and V.

[7] *Ibid., Supplement No. 5E* (A/45/5/Add.5), sect. III.

[8] *Ibid., Supplement No. 5F* and corrigendum (A/45/5/Add.6 and Corr.1), sects. I and IV.

[9] *Ibid., Supplement No. 5G* (A/45/5/Add.7), sects. I and V.

[10] *Ibid., Supplement No. 5H* and corrigendum (A/45/5/Add.8 and Corr.1), sects. I and IV.

[11] *Ibid., Supplement No. 5* and corrigenda (A/45/5 and Corr.1 and 2), vol. I, sects. II and III; vol. II, sects. II and III; and vol. III, sects. II and III; *ibid., Supplement No. 5A* (A/45/5/Add.1), sects. II and III; *ibid., Supplement No. 5B* and corrigendum (A/45/5/Add.2 and Corr.1), sects. II and III; *ibid., Supplement No. 5C* (A/45/5/Add.3), sects. II and III; *ibid., Supplement No. 5D* (A/45/5/Add.4), sects. II and III; *ibid., Supplement No. 5E* (A/45/5/Add.5), sects. I and II; *ibid., Supplement No. 5F* and corrigendum (A/45/5/Add.6 and Corr.1), sects. II and III; *ibid., Supplement No. 5G* (A/45/5/Add.7), sects. II and III; and *ibid., Supplement No. 5H* and corrigendum (A/45/5/Add.8 and Corr.1), sects. II and III.

[12] See A/45/457, annex.

[13] A/45/570 and Corr.1.

[14] See *Official Records of the General Assembly, Forty-fifth Session, Fifth Committee*, 4th, 7th to 11th and 30th meetings, and corrigendum.

3. *Takes note* of the recommendation contained in paragraph 52 of the report of the Advisory Committee on Administrative and Budgetary Questions,[13] and requests the United Nations Children's Fund and all relevant parties, in considering the implementation of the recommendation, to take fully into account the divergent views expressed by Member States in the Fifth Committee in this regard;

4. *Endorses* all other recommendations and observations of the Advisory Committee and approves all of the recommendations and observations of the Board of Auditors subject to the provisions of the present resolution, taking into account the views expressed by Member States in the Fifth Committee;

5. *Requests* the Panel of External Auditors to submit to the General Assembly at its forty-sixth session, through the Administrative Committee on Co-ordination and the Advisory Committee, an interim study on concrete issues to be resolved through the development of appropriate accounting principles and standards for consistent application in the United Nations system, taking into account the feasibility and benefits of such principles, as well as the major problems to be addressed in this regard;

6. *Approves* the changes in the financial procedures of the United Nations Development Programme, as recommended by the Governing Council of the Programme in its decision 90/49,[15] and the United Nations Population Fund, as recommended by the Governing Council of the Programme in its decision 90/36;[15]

7. *Decides* that the reporting procedures, including those regarding substantive and management issues, that apply to United Nations organizations and programmes audited on a biennial basis shall also apply to the United Nations Children's Fund;

8. *Invites* the Board of Auditors to issue a special report for United Nations organizations audited on a biennial basis for the first year of each biennium through the Advisory Committee, if in the opinion of the Board there are matters that need to be brought to the attention of the governing bodies and/or the General Assembly;

9. *Requests* the Secretary-General to include in the proposed programme budget for the biennium 1992-1993 resources for the Board of Auditors corresponding to its work-load and adequate to carry out its functions in accordance with the financial regulations, taking into account all relevant decisions of the General Assembly, including those relating to revised reporting procedures approved for the United Nations Development Programme, the United Nations Population Fund and the United Nations Children's Fund;

10. *Expresses its concern* with regard to the findings of the Board of Auditors that procurement procedures are not being fully complied with, requests the administrations involved to take immediate action to correct this problem, and invites the Advisory Committee to monitor the action taken;

11. *Welcomes* the intention of the Secretary-General to renegotiate the existing arrangements for common and joint services at the Vienna International Centre and requests the governing bodies and the executive heads of the United Nations Industrial Development Organization and the International Atomic Energy Agency to co-operate fully with him in this process;

12. *Requests* the Secretary-General to discuss with the executive heads of the United Nations Industrial Development Organization and the International Atomic Energy Agency the problem of compensation for the excessive costs charged by these organizations to the United Nations Office at Vienna for the majority of existing joint and common services at the Vienna International Centre;

13. *Requests* the Secretary-General and the executive heads of United Nations organizations and programmes:

(*a*) To submit to their respective governing bodies, as well as to the General Assembly at its forty-sixth session, detailed progress reports on steps taken to implement previous recommendations of the Board of Auditors and the related recommendations of the Advisory Committee and to explain if any of those recommendations have not yet been implemented, and requests the Board and the Advisory Committee to evaluate the efficacy of those measures, and to report thereon to the Assembly at its forty-sixth session;

(*b*) To consider, in consultation with the Board of Auditors and the Advisory Committee, effective measures to facilitate reporting by staff members on a confidential basis of any inappropriate use of the resources of a United Nations organization or programme, and to report to the General Assembly at its forty-sixth session in this regard;

(*c*) To implement stringent inventory controls on non-expendable property and to report on measures taken in this regard to the General Assembly at its forty-sixth session;

(*d*) To institute without delay more effective control on the payment of all allowances and benefits to staff members and to report on measures taken in this regard to the General Assembly at its forty-sixth session;

14. *Reaffirms* the importance of strict compliance with financial regulations and rules on the subject of unliquidated obligations, and requests the Secretary-General, in the light of his experience in implementing the new budget process and in the context of the recommendations of the Board of Auditors, to analyse outstanding issues on this subject and to submit a thorough report to the General Assembly at its forty-sixth session;

15. *Expresses its appreciation* to the Secretary-General for the steps taken to eliminate abuses in the payment of income tax reimbursements, and requests him to continue efforts to recover outstanding excess income tax reimbursements;

16. *Urges* the executive heads of other organizations and programmes to investigate possible abuses in

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[15] See *Official Records of the Economic and Social Council, 1990, Supplement No. 9* (E/1990/29), annex I.

the payment of income tax reimbursements to their staff members and to report on efforts taken in this regard to the General Assembly at its forty-sixth session;

17. *Requests* the Board of Auditors to ensure regular audit coverage of all extrabudgetary expenditures, including the various trust funds managed by the Secretary-General or the executive heads of United Nations organizations and programmes;

18. *Requests* the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to report to the General Assembly at its forty-sixth session on the measures taken by the Agency to rectify the shortcomings identified by the audit of the Area Staff Provident Fund;

19. *Invites* the governing bodies of organizations and programmes for which audited financial statements have been considered by the General Assembly to ensure that full consideration is given to the reports of the Board of Auditors and the Advisory Committee and the comments made thereon in the Fifth Committee with a view to taking appropriate remedial measures;

20. *Requests* the executive heads of the United Nations organizations and programmes to ensure that expenditures do not exceed the level of funds provided under allotments, in accordance with the financial rules, and to enforce existing disciplinary measures with a view to enhancing accountability and budgetary discipline;

21. *Requests* the Board of Auditors and the Advisory Committee to continue to cover, in their review of organizations and programmes, including peace-keeping operations, the areas relating to the efficiency and effectiveness of the financial procedures and controls, the accounting system and related administrative and management aspects in accordance with regulation 12.5 of the Financial Regulations of the United Nations and to recommend measures, as appropriate, to strengthen financial and management controls and to standardize the financial reporting of the organizations;

22. *Recommends* that all future reports of the Board of Auditors continue to include separate sections that contain a summary of recommendations for corrective action to be taken by the United Nations organizations and programmes concerned, with an indication of relative urgency and a timetable for remedial action;

23. *Encourages* the Board of Auditors to carry out its audits in a comprehensive manner in response to paragraph 13 of General Assembly resolution 44/183;

24. *Welcomes* the review of the Board of Auditors of the liquidity positions of United Nations organizations, and requests the Board to conduct a further review, bearing in mind that the information should be presented in a standardized format;

25. *Recommends* that the Board of Auditors continue to submit to the General Assembly a concise document summarizing its principal findings, conclusions and recommendations of common interest, classified by audit area and, where appropriate, identifying the audited organization.

72nd plenary meeting
21 December 1990

45/236. Current financial crisis and financial emergency of the United Nations

A

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations and, in particular, Article 17 thereof,

Recalling also its resolutions 41/213 of 19 December 1986, 42/211 and 42/212 of 21 December 1987, 43/215 of 21 December 1988 and 44/195 A of 21 December 1989,

Deeply concerned that the current financial crisis threatens the financial solvency, stability and work of the Organization,

Noting the significant efforts made by Member States to pay their assessed contributions in full or to reduce the level of their outstanding contributions,

Reaffirming the need for a durable, reliable and lasting financial foundation for the Organization, in accordance with the Charter,

Taking note of the report of the Secretary-General on the current financial crisis of the United Nations,[16] the related report of the Advisory Committee on Administrative and Budgetary Questions[17] and the views expressed by Member States in the Fifth Committee on this subject,[18]

1. *Reiterates* the legal obligation of all Member States, under the Charter of the United Nations, to finance the expenses of the Organization as apportioned by the General Assembly;

2. *Requests* all Member States to pay their outstanding and current assessed contributions in full and in a timely manner in accordance with regulation 5.4 of the Financial Regulations of the United Nations;

3. *Requests* the Secretary-General to continue to monitor the financial situation of the United Nations and to keep the President of the General Assembly and the chairmen of the regional groups informed so as to facilitate consideration by Member States if the situation so requires;

4. *Also requests* the Secretary-General to communicate to all Member States the latest information on the current financial crisis facing the Organization and to submit a report giving his best projections of the financial situation of the Organization to the General Assembly at its forty-sixth session by 15 November 1991, followed by additional and more up-to-date information as soon as possible.

72nd plenary meeting
21 December 1990

B

The General Assembly,

Recalling its resolutions 42/216 A of 21 December 1987, 43/220 of 21 December 1988, 44/195 B of 21 December 1989 and all previous related resolutions,

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[16] A/45/830.

[17] A/45/860.

[18] See *Official Records of the General Assembly, Forty-fifth Session, Fifth Committee*, 47th to 49th meetings, and corrigendum.

Noting the increased importance of the role of the Organization in peace-keeping and, in this regard, recalling paragraph 8 of its resolution 45/75 of 11 December 1990,

Having considered the report of the Secretary-General on the analysis of the financial situation of the United Nations,[19] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[17]

Noting the improvement in the level of the short-term deficit of the Organization, which it is estimated will be reduced to 260.7 million United States dollars as at 31 December 1990,

Concerned at the precarious financial situation of all peace-keeping operations and noting that troop-contributing Member States, including the developing country troop contributors of past and present peace-keeping operations, have borne most of the burden of the deficit,

Noting with concern the long delays in payment and the partial and non-payment of assessed contributions to past and current peace-keeping operations,

Reiterating earlier appeals to Member States, without prejudice to their position of principle, to make voluntary contributions to the Special Account referred to in annex VI to the report of the Secretary-General on the analysis of the financial situation of the United Nations,

Considering the views expressed by Member States in the Fifth Committee during the forty-fifth session,[18]

1. *Urges* all Member States to meet their financial obligations under the Charter of the United Nations by paying promptly and in full all assessed contributions, including advances to the Working Capital Fund and assessments relating to peace-keeping operations;

2. *Expresses its appreciation* to all Member States that pay their assessed contributions in full in accordance with regulation 5.4 of the Financial Regulations of the United Nations;

3. *Requests* the Secretary-General, in addition to sending official communications to the permanent representatives of Member States, to approach, as and when appropriate, the Governments of Member States for the purpose of encouraging the expeditious payment in full of all outstanding assessed contributions to all peace-keeping operations, as well as seeking further voluntary contributions for peace-keeping operations;

4. *Also requests* the Secretary-General to include in his report on the financial emergency of the United Nations, on a regular basis, a detailed analysis of the financial situation of the Organization, including reimbursements owed to Member States for their participation in peace-keeping operations;

5. *Takes note* of the proposal of the Secretary-General for an increase in the level of the Working Capital Fund[20] and the observations of the Advisory Committee on Administrative and Budgetary Questions in this regard[17] and decides to revert to this matter, if necessary, at the forty-sixth session;

6. *Requests* the Secretary-General to submit a report on the financial emergency of the United Nations to the General Assembly each year by 10 October, including therein the results of his efforts in implementation of paragraph 3 of the present resolution.

72nd plenary meeting
21 December 1990

45/237. Joint Inspection Unit

The General Assembly,

Recalling its resolutions 31/192 of 22 December 1976, 41/213 of 19 December 1986 and 42/218 of 21 December 1987 and other recent relevant resolutions,

Having considered the report of the Joint Inspection Unit on its activities during the period 1 July 1989 to 30 June 1990,[21] the work programme of the Unit for 1990 and the nucleus of its work programme for 1991-1992[22] and the report of the Secretary-General on the implementation of the recommendations of the Unit,[23]

Expressing its appreciation to the Joint Inspection Unit for the reform measures it has introduced to improve further its working methods and the quality of its work,

Reiterating the importance of a detailed and timely consideration of the reports of the Joint Inspection Unit, particularly by Member States and the organizations concerned,

Urging the executive heads and governing bodies of participating organizations of the Joint Inspection Unit to take full advantage of the resources of the Unit and to give due attention to its reports and recommendations,

1. *Takes note* of the report of the Joint Inspection Unit[21] and of its work programme for 1990[22] and of the report of the Secretary-General on the implementation of the recommendations of the Unit;[23]

2. *Encourages* the Joint Inspection Unit to continue to take into account the following measures in order to enhance further the usefulness of its reports to the governing bodies of the participating organizations:

(*a*) To take a more selective approach in drawing up its work programme to give greater attention to management, budgetary and administrative issues, including those identified by the Advisory Committee on Administrative and Budgetary Questions in its report on the administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency, and by the Board of Auditors in its audit opinions and reports, as well as those areas of the United Nations system undergoing reform;

(*b*) To make every possible effort to issue its reports well in advance of the meetings of the governing bodies of its participating organizations, in particular the General Assembly, and of the relevant subsidiary bodies, to ensure that the comments of the Secretary-General and those of the Administrative Committee on Co-ordination, where pertinent, are issued in accordance with existing regulations for the timely receipt of documentation;

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[19] A/C.5/45/17.

[20] *Ibid.*, para. 32.

[21] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 34* (A/45/34).

[22] A/45/117, annex.

[23] A/45/441.

(*c*) To make every effort to shorten its reports, using comparative tables and graphics whenever appropriate, and to include therein an executive summary of its recommendations in order to facilitate the consideration of its reports;

(*d*) To provide a more detailed commentary in its annual report to the General Assembly on the implementation of its recommendations by the United Nations and by the other participating organizations of the Unit;

(*e*) To concentrate on specific and practical operational problems and to address more precisely defined questions;

3. *Requests* the Secretary-General to review, in the context of the proposed programme budget for the biennium 1992-1993, the research and analytical capacity of the secretariat of the Joint Inspection Unit in order to enhance its performance, with due respect to the statute of the Unit;

4. *Takes note with appreciation* of the report of the Joint Inspection Unit on budgeting in organizations of the United Nations system,[24] which may encourage the harmonization of procedures within the United Nations system, and in particular the recommendations contained therein to facilitate a more equitable and comparable development of budgeting of the organizations in the system, as well as the comments of the Administrative Committee on Co-ordination on the report;[25]

5. *Requests* the Secretary-General and the Joint Inspection Unit, in bringing to the attention of the appropriate bodies of the United Nations system all reports of the Unit on matters within their respective spheres of competence, to arrange for the earliest possible introduction of reports of the Unit;

6. *Invites* Governments that are represented on the governing bodies of organizations and programmes for which the Joint Inspection Unit has issued reports to ensure that the reports are given full consideration;

7. *Encourages* all governing bodies of the organizations and programmes to invite, when appropriate, a representative of the Joint Inspection Unit to be present at their meetings when considering the reports of the Unit;

8. *Requests* the Secretary-General to bring the present resolution to the attention of the executive heads of the participating organizations of the Joint Inspection Unit and to transmit to the General Assembly at its forty-sixth session a report on actions taken by those organizations to enhance consideration of the reports of the Unit by their respective governing bodies.

72nd plenary meeting
21 December 1990

45/238. Pattern of conferences

A

REPORT OF THE COMMITTEE ON CONFERENCES

The General Assembly,

Having considered the report of the Committee on Conferences,[26]

Taking note of the various conclusions and recommendations of the Committee on Conferences as included in its report,

Recalling its resolution 44/196 A of 21 December 1989,

1. *Approves* the draft revised calendar of conferences and meetings of the United Nations for 1991 as submitted by the Committee on Conferences;[27]

2. *Requests* the Committee on Conferences to review, within its mandate, the existing procedures with regard to inter-sessional departures from the approved calendar of conferences and meetings and to report thereon to the General Assembly at its forty-sixth session;

3. *Authorizes* the Committee on Conferences to make adjustments in the calendar of conferences and meetings for 1991 that may become necessary as a result of action and decisions taken by the General Assembly at its forty-fifth session;

4. *Calls upon* the Committee on Conferences to continue to explore new ways to improve its effectiveness in carrying out its mandate as approved by the General Assembly;

5. *Notes* the efforts made by a number of United Nations organs to improve the utilization of conference-servicing resources;

6. *Invites* United Nations bodies, in making requests for conference services in accordance with their respective mandates, to ensure that the conference services requested are sufficient to enable them to carry out their tasks fully and that they match, to the extent possible, their actual requirements;

7. *Urges* all United Nations organs and bodies to intensify their efforts to improve their utilization of requested conference-servicing resources;

8. *Calls upon* the Committee on Conferences to consider, within its mandate, further measures to improve the overall efficiency and effectiveness of the use of conference-servicing resources, bearing in mind the relevant recommendations contained in the report of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations,[28] as approved by the General Assembly in its resolution 41/213 of 19 December 1986, and to report to the Assembly at its forty-sixth session;

9. *Requests* the Chairman of the Committee on Conferences and the Secretary-General to maintain their contacts with all United Nations organs in order

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[24] See A/45/130.

[25] A/45/130/Add.1, annex.

[26] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 32* and addendum and corrigendum (A/45/32 and Add.1 and Add.1/Corr.1).

[27] *Ibid.*, annex II.

[28] *Ibid., Forty-first Session, Supplement No. 49* (A/41/49).

to ensure the most efficient and effective use of conference services allocated to those organs;

10. *Requests* the Chairmen of United Nations organs to bring the concerns about the utilization of conference-servicing resources to the attention of the organs concerned;

11. *Requests* the Committee on Conferences, in implementing the new methodology on conference-servicing utilization rates, to consider additional elements proposed in the discussions in the Fifth Committee and to report thereon to the General Assembly;

12. *Also requests* the Committee on Conferences to remain seized of the matter of the improved utilization of conference-servicing resources on the basis of further reports from the Secretary-General;

13. *Welcomes* the efforts of the Secretary-General in the area of system-wide co-ordination of conference services and invites him in this regard to use more extensively the co-ordinating potential of the Consultative Committee on Administrative Questions;

14. *Also welcomes* the revised work-load standards for conference-servicing staff, which, as noted in section II, paragraph 2, of General Assembly resolution 45/248 A of 21 December 1990, reflect a further step towards enhanced productivity of conference-servicing staff;

15. *Requests* the Secretary-General, in view of continuing investments in technologies, to continue to explore ways to achieve optimum use of all resources in the area of conference-servicing.

72nd plenary meeting
21 December 1990

B

CONTROL AND LIMITATION OF DOCUMENTATION

The General Assembly,

Recalling its resolution 44/196 B of 21 December 1989,

Recalling also its resolution 41/213 of 19 December 1986,

Taking into account the continuing financial crisis and the need to improve efficiency and effectiveness,

1. *Requests* the Committee on Conferences to continue to review the question of the provision of summary records on a regular basis and to report thereon to the General Assembly as appropriate;

2. *Decides* that, pending a further decision of the General Assembly on the recommendations of the Committee on Conferences, no subsidiary organ of the Assembly shall be entitled to summary records, with the exception of the following:

(*a*) *Ad Hoc* Committee on the Indian Ocean;

(*b*) Committee on the Exercise of the Inalienable Rights of the Palestinian People;

(*c*) International Law Commission;

(*d*) Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space;

(*e*) Special Committee against *Apartheid;*

(*f*) United Nations Commission on International Trade Law;

3. *Decides* that summary records shall continue to be provided to regular and special sessions of the following governing bodies: the Executive Board of the United Nations Children's Fund, the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, and the Governing Council of the United Nations Development Programme;

4. *Renews its appeal* to Member States to exercise restraint in their requests for the circulation of communications as United Nations documents and to keep their submissions as brief as possible;

5. *Also renews its appeal* to Member States and organizations of the United Nations system to respond in a timely manner to requests for information for inclusion in documents;

6. *Requests* the Secretary-General to take all appropriate measures to ensure that pre-session documents for meetings are distributed not less than six weeks before the meetings, simultaneously in all official languages of the organs of the United Nations, in accordance with General Assembly resolutions 33/56 of 14 December 1978 and 36/117 B of 10 December 1981, and to circulate eight weeks before the opening of a session of an intergovernmental body, with the annotated agenda of the session, a report on the state of preparation at that time of all the documents in all languages required for the session;

7. *Requests* the secretariats of subsidiary organs to bring the recommendations of the General Assembly on the desirable thirty-two-page limit for their reports to the Assembly to the attention of the subsidiary organs at the start of substantive sessions;

8. *Requests* that intergovernmental organs exercise restraint in their authorization of recurrent publications;

9. *Requests* the Secretary-General to maximize the use of internal printing facilities, revising the format of United Nations documents for which external printing is now required, as appropriate;

10. *Requests* the Committee on Conferences to keep the matter under review and to report to the General Assembly at its forty-seventh session.

72nd plenary meeting
21 December 1990

45/239. Personnel questions

A

COMPOSITION OF THE SECRETARIAT

The General Assembly,

I

Recalling Articles 97, 100 and 101 of the Charter of the United Nations,

Reaffirming its resolutions 33/143 of 20 December 1978, 35/210 of 17 December 1980, 41/213 of 19 December 1986, 42/220 A of 21 December 1987, 43/224 A of 21 December 1988 and 44/185 A of 19 December 1989, *Recognizing* the importance of maintaining a qualified, independent and geographically balanced international civil service,

Having considered the report of the Secretary-General on the composition of the Secretariat[29] and the relevant sections of the analytical report of the Secretary-General on the implementation of General Assembly resolution 41/213,[30]

Noting with appreciation the progress made in reducing the number of Member States that are unrepresented or underrepresented in the Secretariat,

Recognizing that matters related to the representation of Member States in the Secretariat are dealt with on a country basis,

Noting the positive results of national competitive examinations for posts at the P-1 and P-2 levels and the intention of the Secretary-General to introduce national competitive examinations for posts at the P-3 level in two occupational groups,

Noting also the continued efforts made to fill posts in organizational units with high vacancy rates, particularly in the regional commissions,

Noting further that there are limited opportunities for promotion in some occupational groups in the Secretariat,

Bearing in mind the views on personnel questions expressed by Member States in the Fifth Committee during the forty-fifth session,[31]

1. *Reiterates* its full support for the Secretary-General as the chief administrative officer of the Organization, and underlines its full respect for his prerogatives and responsibilities under the Charter of the United Nations;

2. *Requests* the Secretary-General to strengthen the role and emphasize the authority of the Office of Human Resources Management of the Secretariat in accordance with recommendation 41 of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations;[28]

3. *Reaffirms,* in accordance with the Charter, that the paramount consideration in the appointment, promotion, granting or reviewing of permanent contracts and career development of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity, and that this consideration is fully compatible with the principle of equitable geographical distribution;

4. *Urges* the Secretary-General, whenever making appointments at all levels to posts subject to geographical distribution, to make every effort to recruit nationals of unrepresented and underrepresented Member States, bearing in mind also the need to increase the number of staff recruited from Member States below the mid-point of their desirable ranges;

5. *Notes* that the existing practice of holding national competitive examinations is a useful tool for recruitment, *inter alia,* from unrepresented and underrepresented Member States, and requests the Secretary-General to expedite the recruitment of candidates successful in national competitive examinations with a view to filling all posts committed to each examination with the shortest possible delay;

6. *Requests* the Secretary-General to take every available measure to ensure, at the senior and policy-formulating levels of the Secretariat, the equitable representation of Member States, in particular of developing countries and Member States with inadequate representation at those levels, in accordance with the relevant resolutions of the General Assembly, and to include relevant information in future reports on the composition of the Secretariat;

7. *Also requests* the Secretary-General, in order to preserve the principles of equitable geographical distribution and rotation in the upper echelons of the Secretariat, to ensure that equal opportunity is given to candidates of all Member States when making appointments to all posts in the upper echelons, and not to extend, as a rule, the service of under-secretaries-general and assistant secretaries-general for a period exceeding ten years, in accordance with recommendation 54 of the Group of High-level Intergovernmental Experts;[28]

8. *Reaffirms* that no post should be considered the exclusive preserve of any Member State or group of States, and accordingly requests the Secretary-General, when making appointments to high-level and policy-formulating posts, to give equal opportunity to all Member States through the announcement of such posts to the extent possible, with due regard to the principles of the highest standards of efficiency, competence and integrity and of equitable geographical distribution, bearing in mind that appointments are to be made at the discretion of the Secretary-General against specific selection criteria in accordance with Article 101 of the Charter;

9. *Requests* the Secretary-General to continue his efforts aimed at improving the composition of the Secretariat by ensuring a broad and equitable geographical distribution of staff in the Professional and higher categories in all main departments and offices, bearing in mind that the paramount consideration shall be the necessity of securing the highest standards of efficiency, competence and integrity, and to report thereon to the General Assembly at its forty-seventh session;

10. *Also requests* the Secretary-General to consider measures in order to ensure, to the extent possible, the representation of the main legal systems in the Secretariat, where appropriate;

11. *Further requests* the Secretary-General, in order to ensure that equal opportunity is given to internal and external candidates, to take appropriate measures for the timely distribution of vacancy announcements to all Member States;

12. *Requests* the Secretary-General, with respect to the recruitment, transfer and promotion of staff for placement in the regional commissions, to make every effort to encourage equitable representation of all

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[29] A/45/541.

[30] A/45/226.

[31] See *Official Records of the General Assembly, Forty-fifth Session, Fifth Committee,* 15th, 16th, 19th, 22nd, 24th to 28th and 51st meetings, and corrigendum.

Member States in the regional commissions, in order to reduce the high vacancy rates;

13. *Also requests* the Secretary-General to include in the report on the composition of the Secretariat to be submitted to the General Assembly at its forty-seventh session statistical tables indicating the nationality of staff serving in posts financed from extrabudgetary resources in the Secretariat;*

14. *Further requests* the Secretary-General to include in future reports on the composition of the Secretariat statistical tables broken down by the current groupings of Member States as well as tables in alphabetical order and to continue to produce tables showing the representation of developing and other countries in posts subject to geographical distribution;

15. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of a competitive examination for posts at the P-3 level in two occupational groups;

16. *Also requests* the Secretary-General to pursue efforts towards the establishment of a comprehensive career development system for all categories of staff, bearing in mind the need to secure the highest standards of competence, efficiency and integrity and to promote mobility, and to report on this system to the General Assembly at its forty-seventh session;

17. *Further requests* the Secretary-General to continue efforts to develop further and refine classification and evaluation systems and promotion procedures as an integral part of the vacancy management system, taking into account, *inter alia*, concepts of career ladders and linked grades, in consultation with the International Civil Service Commission, as appropriate, and to report thereon to the General Assembly at its forty-seventh session;

18. *Reiterates its request* to the Secretary-General to submit to the General Assembly, at its forty-sixth session, a report on the issues mentioned in paragraph 8 of its resolution 44/185 A;

19. *Urges* the Secretary-General to strengthen the training and retraining capabilities of the Secretariat at all duty stations, and requests him to submit a report to the General Assembly at its forty-seventh session on efforts to implement training programmes in the areas of language training, electronic data processing training, basic supervisory training and the upgrading of the professional knowledge of staff in substantive areas in conformity with recommendation 58 of the Group of High-level Intergovernmental Experts;[28]

20. *Requests* the Secretary-General to continue the review of staff-management activities and of the cost of staff representation in order to establish a more coherent, transparent and cost-effective framework for staff-management activities and to report thereon to the General Assembly at its forty-sixth session;

21. *Also requests* the Secretary-General to submit, in the context of all future programme budgets, specific information concerning expenditures relating to staff union activities, including staffing costs;

22. *Further requests* the Secretary-General, within the framework of staff-management consultations, to stress the need to solve outstanding issues through regular channels so as to ensure the functioning of the Organization;

II

Having considered the report of the Secretary-General on secondment from government service,[32]

Recalling Articles 100 and 101 of the Charter of the United Nations,

Recognizing that there are differences inherent in the secondment of staff from government service to the United Nations and secondment between agencies of the United Nations common system,

Noting the uncertain status of many staff members made available to the United Nations by their respective Governments under current secondment procedures *vis-à-vis* their re-employment rights as government civil servants,

Taking into account the views expressed by Member States during the debate concerning secondment from government service at its forty-fifth session,

1. *Affirms* that secondment is not in conflict with Articles 100 and 101 of the Charter of the United Nations;

2. *Reaffirms* that secondment of staff from government service to the Secretariat can be beneficial to both the United Nations and Member States;

3. *Endorses* the basic approach of the Secretary-General regarding secondment as set out in his report, and requests him to review the procedures for future secondment from government service, taking into account the legitimate interests of the Organization and of the government service and the individual concerned, and to submit appropriate amendments to the Staff Regulations to the General Assembly at its forty-sixth session;

4. *Meanwhile requests* the Secretary-General to deal with individual contracts on the basis of the approach described in paragraph 15 of his report, without prejudice to the rights of individuals as staff members of the Organization;

5. *Invites* Member States to continue to honour their obligations *vis-à-vis* their nationals made available to the United Nations under the current secondment procedures until their status is ascertained;

III

1. *Requests* the Secretary-General to exercise flexibility in the application of the desirable ranges in individual recruitment cases keeping in view all parts of the present resolution;

2. *Also requests* the Secretary-General to submit a report to the General Assembly at its forty-sixth session in the light of section III, paragraph 2, of General Assembly resolution 42/220 A on alternative options for desirable ranges, which was to have been considered at the forty-fifth session, and therefore resolves to decide

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* This is understood not to include United Nations organs that have delegated authority in matters of appointment of the staff.

[32] A/C.5/45/12.

this matter on a priority basis at the forty-sixth session of the Assembly;

3. *Further requests* the Secretary-General to include in the report referred to in paragraph 2 above other possible methodological ways for the distribution of posts subject to geographical distribution among Member States.

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B

ADMINISTRATION OF JUSTICE IN THE SECRETARIAT

The General Assembly,

Reaffirming the importance of a just and efficient internal justice system in the Secretariat,

Recalling its resolutions 42/220 B of 21 December 1987, 43/224 B of 21 December 1988 and 44/185 B of 19 December 1989,

Having considered the report of the Secretary-General on the administration of justice in the Secretariat[33] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[34]

1. *Recognizes* the considerable progress achieved in the area of the administration of justice in the Secretariat, in particular the efficient functioning of the Headquarters Joint Appeals Board and the promulgation of a fully revised set of disciplinary rules;

2. *Requests* the Secretary-General to continue with reforms in the administration of justice in the Secretariat in accordance with resolution 44/185 B and to establish by 1991 an effective system for informal settlements of staff grievances as well as a well-functioning disciplinary system;

3. *Also requests* the Secretary-General to undertake a study of the overall system of administration of justice taking into account the concrete suggestions for improvement of the system, *inter alia,* those regarding the establishment of an office of ombudsman and the functioning of the United Nations Administrative Tribunal, the Committee on Applications for Review of Administrative Tribunal Judgements and the Panel on Discrimination and Other Grievances made by Member States during the forty-fifth session of the General Assembly and to report thereon to the Assembly at its forty-seventh session.

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C

IMPROVEMENT OF THE STATUS OF WOMEN IN THE SECRETARIAT

The General Assembly,

Reaffirming that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling Articles 97, 100 and 101 of the Charter of the United Nations,

Recalling its resolution 2715 (XXV) of 15 December 1970, in which it first addressed the question of the employment of women in the Professional category, and all relevant resolutions that have continued to focus on this area since then, particularly its resolution 40/258 B of 18 December 1985, in which it welcomed the action programme to improve the status of women in the Secretariat for 1985-1990,

Noting with satisfaction that the question of the improvement of the status of women in the secretariats of the United Nations system continues to be a standing item on the agenda of the Administrative Committee on Co-ordination,

Taking account of the relevant part of the report of the International Civil Service Commission,[35]

Taking note of the report of the Secretary-General on the improvement of the status of women in the Secretariat[36] and section II.G of the report of the Secretary-General on the composition of the Secretariat,[29]

Noting with concern that, although there has been a slight increase in the percentage of women in the Secretariat, women fill only 7.1 per cent of posts at the D-1 level and above,

Reaffirming that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibility for administrative, budgetary and personnel matters, including, *inter alia,* the issue of representation of women in the Secretariat,

1. *Reiterates* its full support for the Secretary-General as the chief administrative officer of the Organization and his prerogatives and responsibilities under the Charter of the United Nations;

2. *Urges* the Secretary-General to continue his efforts to increase the number of women in posts subject to geographical distribution, particularly in senior policy-level and decision-making posts, in order to achieve an overall participation rate of 30 per cent by the end of 1990 and, to the extent possible to 35 per cent by 1995, taking into account the principle that the paramount consideration shall be the necessity of securing the highest standards of efficiency, competence and integrity with full respect for the principle of equitable geographical distribution;

3. *Also urges* the Secretary-General, all things being equal and to the extent possible, to accord priority to the participation of women at the D-1 level and above with a view to increasing the participation rate of women in posts at the D-1 level and above to 25 per cent of the total within the overall participation rate of women in 35 per cent of posts subject to geographical distribution by 1995;

4. *Reiterates its request* that the Secretary-General make every effort to increase the representation of women from developing countries, in particular at the D-1 level and above;

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[33] A/C.5/45/11.

[34] A/45/806.

[35] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 30* and addendum (A/45/30 and Add.1), chap. VIII.

[36] A/45/548.

5. *Requests* the Secretary-General to make every effort to increase the representation of women from those countries with a low representation of women;

6. *Also requests* the Secretary-General, in accordance with General Assembly resolution 44/185 C of 19 December 1989, to develop an action programme for the advancement of women in the Secretariat for the period 1991-1995, incorporating as necessary the unfulfilled points of the 1985-1990 action programme and to report thereon to the Assembly at its forty-sixth session;

7. *Further requests* the Secretary-General to include in the action programme for the advancement of women in the Secretariat for the period 1991-1995: (*a*) a comprehensive evaluation and analysis by the Secretariat of the main obstacles to the improvement of the status of women in the Organization; (*b*) proposed measures to overcome the underrepresentation of women from certain Member States; and (*c*) a detailed programme of activities, including monitoring procedures and a timetable for their completion;

8. *Requests* the Secretary-General to maintain the existing Secretariat machinery and to consider the adequacy of the existing machinery to implement the action programme, taking account of the work-loads in the relevant offices, and to report thereon when submitting the action programme for the period 1991-1995;

9. *Requests* Member States to continue to support the efforts of the United Nations, the specialized agencies and related organizations to increase the participation of women in the Professional category and above by, *inter alia,* nominating more women candidates, especially for senior policy-level and decision-making posts, by encouraging women to apply for vacant posts and by creating national rosters of women candidates to be shared with the Secretariat, specialized agencies and related organizations.

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45/240. Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations

The General Assembly,

Recalling that, under Article 100 of the Charter of the United Nations, each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities,

Also recalling that, under Article 105 of the Charter, all officials of the Organization shall enjoy in the territory of each of its Member States such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization,

Further recalling the Convention on the Privileges and Immunities of the United Nations,[37] the Convention on the Privileges and Immunities of the Specialized Agencies,[38] the Agreement on the Privileges and Immunities of the International Atomic Energy Agency and the United Nations Development Programme Standard Basic Assistance Agreements,

Stressing that respect for the privileges and immunities of officials of the United Nations and the specialized agencies is becoming even more imperative owing to the growing number of assignments entrusted to the organizations of the United Nations system by the member States,

Recalling its resolution 76 (I) of 7 December 1946, in which it approved the granting of the privileges and immunities referred to in articles V and VII of the Convention on the Privileges and Immunities of the United Nations to all members of the staff of the United Nations, with the exception of those who are recruited locally and are assigned to hourly rates,

Also recalling its resolution 43/173 of 9 December 1988, to which is annexed the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, including the principle that all persons under arrest or detention shall be provided whenever necessary with medical care and treatment,

Reiterating the obligation of all officials of the Organization in the conduct of their duties to observe fully both the laws and regulations of Member States and their duties and responsibilities to the Organization,

Affirming that persistent obstruction of the exercise of the duties of United Nations officials constitutes an obstacle to the implementation of the mission entrusted by the member States to the organizations of the United Nations system and may affect programme delivery,

Mindful of the responsibilities of the Secretary-General to safeguard the functional immunity of all United Nations officials,

Mindful also of the importance in this respect of the provision by Member States of adequate and immediate information concerning the arrest and detention of staff members and, more particularly, their granting of access to them,

Bearing in mind the considerations of the Secretary-General to guarantee appropriate standards of justice and due process to United Nations officials,

Reaffirming its previous resolutions on this subject,

1. *Takes note with grave concern* of the report of the Secretary-General,[39] submitted on behalf of the Administrative Committee on Co-ordination, and of the developments indicated therein, in particular the significant number of new cases of arrest and detention;

2. *Deplores* the increase in the number of cases where the functioning, safety and well-being of officials have been placed in jeopardy;

3. *Also deplores* the disregard for Article 105 of the Charter of the United Nations displayed by some Member States;

4. *Calls upon* all Member States scrupulously to respect the privileges and immunities enjoyed by officials of the United Nations and the specialized agencies and

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[37] Resolution 22 A (I).

[38] Resolution 179 (II).

[39] A/C.5/45/10 and Corr.1.

related organizations and to refrain from any acts that would impede such officials in the performance of their functions, thereby seriously affecting the proper functioning of the organizations;

5. *Urges* Member States and others responsible for the illegal detention of United Nations staff members to release them immediately;

6. *Calls upon* the Secretary-General to use all such means as are available to him to bring about an expeditious solution of the cases still pending, which were referred to in his report;

7. *Urges* the Secretary-General to give priority to the prompt follow-up of cases of arrest, detention and other possible matters relating to the security and proper functioning of officials of the United Nations and the specialized agencies and related organizations;

8. *Calls upon* those Member States holding under arrest or detention officials of the United Nations and the specialized agencies and related organizations to enable the Secretary-General or the executive head of the organization concerned to exercise fully the right of functional protection inherent in the relevant multilateral conventions and bilateral agreements, particularly with respect to immediate access to detained staff members;

9. *Calls upon* all Member States to take the necessary measures in order to promote knowledge of and compliance with the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, including the principle that all persons under arrest or detention shall be provided whenever necessary with medical care and treatment;

10. *Affirms* that, in providing medical assistance, the use of independent medical teams should be considered;

11. *Calls upon* the staff of the United Nations and the specialized agencies and related organizations to comply fully with the provisions of Article 100 of the Charter and with the obligations resulting from the Staff Regulations and Rules of the United Nations, in particular regulation 1.8, and from the equivalent provisions governing the staff of the other agencies;

12. *Takes note with concern* of the restrictions on duty travel of officials as indicated in the report of the Secretary-General;

13. *Also takes note with concern* of the information contained in the report of the Secretary-General related to taxation on salaries and emoluments, and requests the Member States concerned and the Secretary-General to agree urgently on the appropriate action to be taken;

14. *Calls upon* all Member States otherwise impeding officials of the United Nations and the specialized agencies and related organizations in the proper discharge of their duties to review the cases and to co-ordinate their efforts with the Secretary-General or the executive head of the organization concerned to resolve each case with all due speed;

15. *Calls upon* the Secretary-General, as chief administrative officer of the United Nations, to continue personally to act as the focal point in promoting and ensuring the observance of the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations by using all such means as are available to him;

16. *Urges* all Member States that have not yet become parties to the existing international legal instruments covering the question of privileges and immunities of officials, in particular to the Convention on the Privileges and Immunities of the United Nations[37] and the Convention on the Privileges and Immunities of the Specialized Agencies,[38] to do so promptly;

17. *Welcomes* the advisory opinion of 15 December 1989 of the International Court of Justice on the applicability of article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations[40] that this section is applicable to persons other than United Nations officials to whom a mission has been entrusted by the Organization and who are therefore entitled to enjoy the privileges and immunities provided for in that section with a view to the independent exercise of their function;

18. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Co-ordination, to review and appraise the measures already taken to enhance the proper functioning, safety and protection of international civil servants;

19. *Also requests* the Secretary-General, in compiling the information for incorporation into the reports on privileges and immunities of officials submitted on behalf of the Administrative Committee on Co-ordination, to include, to the extent possible, the views of the Member States.

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45/241. United Nations common system: report of the International Civil Service Commission

The General Assembly,

Having considered the sixteenth annual report of the International Civil Service Commission[41] and other related reports,[42]

I

1. *Reaffirms* the central role of the International Civil Service Commission in the regulation and co-ordination of conditions of service, including pensionable remuneration of all graded and ungraded staff, of the United Nations common system;

2. *Endorses* the efforts of the Commission to maintain the integrity and unity of those conditions of service in order to strengthen the effectiveness of common system activities and to ensure equity of treatment of all staff;

3. *Reiterates its request* to the Secretary-General and to the executive heads of the organizations of the com-

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[40] *Applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations, Advisory Opinion, I.C.J. Reports 1989*, p. 177.

[41] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 30* and addendum (A/45/30 and Add.1).

[42] *Ibid., Supplement No. 9* (A/45/9); *ibid., Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.7; and A/C.5/45/23, A/C.5/45/24 and A/C.5/45/43.

mon system to make every effort to absorb in 1991 and thereafter a significant portion of any additional costs arising in respect of the regular budgets of all the organizations as a result of the comprehensive review of the conditions of service of staff in the Professional and higher categories;

II

Recalling section VIII of its resolution 42/221 of 21 December 1987, section II of its resolution 43/226 of 21 December 1988, and section II of its resolution 44/198 of 21 December 1989,

Taking note of the decisions and conclusions of the International Civil Service Commission with respect to the modification of its working methods and the format of its annual reports,

Welcoming the renewed participation of the staff representatives in the work of the Commission,

1. *Reaffirms* the independence and impartiality of the International Civil Service Commission in the performance of its functions, as envisaged in article 6 of its statute;

2. *Expresses its satisfaction* with the establishment of a more active dialogue between the Commission and representatives of organizations and of staff, *inter alia,* through tripartite working groups;

3. *Requests* the Commission to continue to seek improvements in the format of its report, with a view to enhancing its clarity and making it more comprehensible;

4. *Requests* the Secretary-General and his colleagues in the Administrative Committee on Co-ordination, in preparing the report on the review of the functioning of the Commission in accordance with section II, paragraph 1, of resolution 44/198, to recommend alternative measures to improve the functioning of the Commission;

III

Noting with concern that it has again not been possible for the International Civil Service Commission to recommend the introduction of a revised remuneration structure for staff in the Professional and higher categories that would result in greater transparency and simplicity in the concepts and administration of the remuneration system,

Noting the intention of the Commission to review and evaluate the proposed procedures for the treatment of housing in the light of the experience gained,

1. *Urges* the International Civil Service Commission to continue its examination of the remuneration structure, in particular concerning the treatment of housing, and to report its findings to the General Assembly, as appropriate, taking into account the views expressed by Member States in the Fifth Committee;

2. *Takes note* of the recommendations of the Commission with regard to the treatment of housing, as contained in paragraph 95 of its report;[41]

3. *Requests* the Commission, as a matter of urgency, to continue to take measures to improve the measurement of the housing element in the remuneration package;

4. *Also requests* the Commission to establish a pilot project designed to simulate the operation of the proposals of the Commission in a limited number of duty stations in the field where valid housing comparisons are difficult or impossible, on the understanding that housing will remain within the post adjustment system in the mean time, and to report on the experience gained with that project to the General Assembly at its forty-sixth session;

5. *Further requests* the Commission to examine experience gained with the functioning of the current rental subsidy scheme for headquarters duty stations and to review its proposals for a revised rental subsidy scheme, contained in paragraph 95 (*b*) (iv) and (viii) of its report,[41] taking into account views expressed by Member States in the Fifth Committee on the need to improve the rental subsidy scheme, without losing sight of the purpose of the scheme of facilitating the resettlement of new staff members and of encouraging mobility within the common system, and to submit its conclusions and recommendations on the subject to the General Assembly at its forty-sixth session;

6. *Decides* to introduce, with effect from 1 January 1991, as a provisional arrangement, a revision to the current rental subsidy scheme at headquarters locations that provides for reimbursement over a seven-year period at the rate of 80 per cent for the first four years and 60 per cent, 40 per cent and 20 per cent, respectively, for the three years thereafter;

IV

Taking note of the compilation of the overview of common system allowances and those of the comparator civil service, as contained in annex VII to the report of the International Civil Service Commission,[41] and the decisions of the Commission thereon,

1. *Urges* the International Civil Service Commission to make the utmost effort to complete its review of dependency allowances and its study on expatriate entitlements granted to staff living in their home countries and to report thereon to the General Assembly at its forty-sixth session;

2. *Invites* the Commission to update the comparative overview of allowances on a regular basis;

V

Taking note of the decisions and recommendations of the International Civil Service Commission with respect to the conditions of service of staff at the Assistant Secretary-General and Under-Secretary-General and equivalent levels, as contained in paragraph 124 (*b*) of its report,[41]

Requests the International Civil Service Commission to reconsider, in a comprehensive manner, the remuneration of staff of organizations of the United Nations common system at the Assistant Secretary-General and Under-Secretary-General and equivalent levels, taking into account, *inter alia,* the remuneration levels of equivalent positions in the comparator civil service, representation and other allowances, housing arrangements and pensionable remuneration levels, and to report thereon to the General Assembly at its forty-sixth session;

VI

Recalling the importance of ensuring that the governing bodies of the specialized agencies take common positions with regard to matters of concern for the United Nations common system,

Concerned by the continuing practice of some organizations to grant additional steps beyond the salary scale approved by the General Assembly,

Noting that the World Intellectual Property Organization has revised its rules in respect of an additional step in the salary scale for the Professional and higher categories,

1. *Urges* the governing bodies of the International Labour Organisation and the World Health Organization to take the necessary measures to bring their salary scales into line with those of the other organizations of the common system, as recommended by the International Civil Service Commission;

2. *Invites* the Commission, with regard to its recommendation on non-pensionable cash awards to reward merit, to continue its review of performance evaluation systems in all organizations of the common system, with a view to ensuring that such systems are objective and transparent and can provide a sound basis for decisions on the proposed cash awards, as well as on within-grade increments and promotions, as indicated in section I.F, paragraph 3, of resolution 44/198;

3. *Urges* Member States to ensure that their representatives in the meetings of the governing bodies of the organizations of the common system are informed of the positions taken by the Commission and the General Assembly in respect of conditions of employment in the common system;

4. *Takes note* of the recommendations being made by the Commission to the executive heads, as contained in paragraph 235 of its report;[41]

VII

Recalling that in section I, paragraph 2, of its resolution 40/244 of 18 December 1985, it approved a range of 110 to 120, with a desirable mid-point of 115, for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and that of officials in comparable positions in the United States federal civil service, on the understanding that the margin would be maintained around the desirable mid-point over a period of time,

Recalling also that in section I.C, paragraph 5, of its resolution 44/198, it requested the International Civil Service Commission to monitor the annual net remuneration margin over the five-year period beginning in the calendar year 1990 with a view to ensuring, to the extent possible, that by the end of that period the average of the successive annual margins is around the desirable mid-point of 115,

Taking note of the recommendations of the Commission, as contained in paragraphs 188 and 189 of its report,[41]

Noting the views expressed by Member States in the Fifth Committee,

Noting also the possibility of a freeze of post adjustment in 1991 for duty stations throughout the United Nations common system, as mentioned in the statement by the Administrative Committee on Co-ordination,[43]

Requests the International Civil Service Commission to continue to monitor the evolution of the margin and also the impact of the potential changes in the United States federal civil service pay levels, as a result of the implementation of the Federal Employees Pay Comparability Act of 1990, and to submit recommendations to the General Assembly at its forty-sixth session, with a view to avoiding a prolonged freeze of post adjustment within the five-year period from the calendar year 1990;

VIII

Recalling section I.H, paragraph 1, of its resolution 44/198, by which it approved the establishment of a floor net salary scale for staff in the Professional and higher categories, with effect from 1 July 1990, by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service,

1. *Approves,* with effect from 1 March 1991, the revised scale of gross and net salaries for staff in the Professional and higher categories contained in annex I to the present resolution and the consequential amendment to the Staff Regulations of the United Nations, as reflected in annex II to the present resolution;

2. *Reiterates its request* to the International Civil Service Commission to report to the General Assembly at its forty-seventh session on the operation of the mobility and hardship allowance and, in particular, on the evolution of the mobility and hardship allowance in reference to equivalent allowances granted by the comparator and in relation to the base/floor salary itself;

IX

Taking note of the decisions of the International Civil Service Commission with regard to the practice of some Member States of making supplementary payments or deductions with respect to their nationals and, in particular, the affirmation by the Commission that such arrangements are unnecessary, inappropriate and undesirable, and are inconsistent with the staff regulations of the organizations of the United Nations common system,

Concerned that some Member States have yet to respond to the requests of the Chairman of the Commission for information on this issue and, in this context, that insufficient progress has been made in taking measures to discontinue these practices,

1. *Notes* the efforts of some Member States to reduce these practices, and encourages other Member States to take similar measures;

2. *Invites* those Member States that have not yet responded to the requests of the Chairman of the International Civil Service Commission for information, to do so;

3. *Requests* the Secretary-General of the United Nations and the executive heads of the other organizations of the common system to take such measures and

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[43] A/C.5/45/43, annex.

make such proposals as they consider appropriate in order to end such practices;

4. *Requests* the Commission to study the practice of supplementary payments and deductions and to propose measures to resolve this problem;

X

Noting the intention of the International Civil Service Commission to conduct a study of the process for setting education grant levels and to report thereon to the General Assembly at its forty-sixth session,

Approves the changes to the maximum admissible levels of expenses incurred under the education grant in five currencies, as contained in paragraph 251 of the report of the International Civil Service Commission;[41]

XI

Recalling its resolutions 41/207 of 11 December 1986, 42/221, 43/226 and 44/198, in which it drew the attention of the organizations of the United Nations common system to the recommendations of the International Civil Service Commission with respect to special measures for the recruitment of women, the need for organizations to submit proposals to the Commission for removing obstacles to equality in promotion prospects, and the importance of providing information on measures taken and results achieved in improving the status of women in both the Professional and higher categories and the General Service and related categories in the secretariats of the organizations,

Concerned at the slow and uneven progress made in these areas,

Invites the International Civil Service Commission, working together with the organizations of the common system and with the staff representatives, to examine specific and practical steps to translate the recommendations and requests recalled in the present section into action and to report thereon to the General Assembly at its forty-seventh session;

XII

Recalling articles 13 and 14 of the statute of the International Civil Service Commission, under which it is empowered to make recommendations on classification and other aspects of personnel policy,

1. *Requests* the International Civil Service Commission to resume its active consideration of these substantive areas;

2. *Also requests* the Commission, in elaborating common personnel practices, to study, among other questions, the practice of inter-agency secondment and transfer, the feasibility of creating common staff rosters along occupational lines and the consistent system-wide application of the Master Standard for classification;

XIII

Recalling article 12 of the statute of the International Civil Service Commission and article III of the Staff Regulations of the United Nations,

Noting the action taken on the recommendations of the Commission in respect of the survey of best prevailing conditions as regards the General Service staff in New York in October 1989,

Concerned that this action could establish an undesirable precedent for similar survey exercises throughout the United Nations common system in the future,

Appreciative of the broader managerial considerations involved,

1. *Notes* the application of the salary scale of the General Service category in New York that was put into effect as of 1 October 1989, and decides that this scale should not constitute a precedent for future salary surveys;

2. *Requests* the Secretary-General to adjust the salaries of the General Service category in New York to levels consistent with best prevailing rates of remuneration as determined by the International Civil Service Commission in accordance with its mandate so that there is no disparity by the time of the next survey;

3. *Also requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on procedures, whereby the Secretary-General and other executive heads could take measures regarding salary scales of the General Service category at variance with recommendations of the Commission, only after consultations with appropriate intergovernmental bodies and the Commission;

4. *Notes* that the Commission will review in 1991 the methodology for the conduct of salary surveys of the General Service and related categories at headquarters duty stations, and requests the Commission to submit a report thereon to the General Assembly at its forty-seventh session;

XIV

Recalling that the work programme of the Joint Inspection Unit includes a study on the question of grade overlap between the Professional and higher categories and other categories of staff in the United Nations common system,

Requests the International Civil Service Commission, in view of the above study, to consider the relativities between the terms and conditions of service of staff in the Professional and higher categories and those in other categories, as well as the broader question of the recruitment and retention of staff.

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ANNEX I

Salary scale for the Professional and higher catagories[a]

Annual gross salaries and net equivalents after application of staff assessment

(In United States dollars)

(Effective 1 March 1991)

	Steps														
Level	*I*	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*	*XIV*	*XV*
Under-Secretary-General															
USG Gross	128 659														
Net D	76 702														
Net S	68 853														
Assistant Secretary-General															
ASG Gross	116 442														
Net D	70 350														
Net S	63 600														
Director															
D-2 Gross	94 478	96 644	98 809	100 993	103 200	105 407									
Net D	58 873	60 021	61 169	62 316	63 464	64 612									
Net S	53 995	54 990	55 983	56 957	57 906	58 855									
Principal Officer															
D-1 Gross	83 047	84 902	86 756	88 610	90 465	92 319	94 173	96 028	97 882						
Net D	52 815	53 798	54 781	55 763	56 746	57 729	58 712	59 695	60 677						
Net S	48 749	49 600	50 451	51 302	52 153	53 004	53 855	54 707	55 558						
Senior Officer															
P-5 Gross	72 782	74 429	76 076	77 723	79 370	81 036	82 714	84 392	86 070	87 748	89 426	91 104	92 782		
Net D	47 302	48 192	49 081	49 971	50 860	51 749	52 639	53 528	54 417	55 307	56 196	57 085	57 975		
Net S	43 784	44 598	45 412	46 225	47 039	47 826	48 596	49 366	50 136	50 906	51 677	52 447	53 217		
First Officer															
P-4 Gross	59 277	60 854	62 431	64 008	65 596	67 202	68 808	70 414	72 020	73 626	75 232	76 839	78 445	80 052	81 688
Net D	39 952	40 820	41 687	42 554	43 422	44 289	45 156	46 024	46 891	47 758	48 625	49 493	50 360	51 227	52 095
Net S	37 101	37 884	38 666	39 448	40 234	41 028	41 821	42 615	43 408	44 201	44 995	45 788	46 582	47 374	48 125
Second Officer															
P-3 Gross	47 890	49 320	50 749	52 179	53 608	55 039	56 521	58 002	59 483	60 965	62 446	63 928	65 417	66 926	68 435
Net D	33 547	34 362	35 177	35 992	36 807	37 621	38 436	39 251	40 066	40 881	41 695	42 510	43 325	44 140	44 955
Net S	31 325	32 060	32 795	33 530	34 265	34 999	35 734	36 469	37 204	37 939	38 673	39 408	40 146	40 891	41 637
Associate Officer															
P-2 Gross	38 075	39 311	40 546	41 781	43 016	44 251	45 503	46 781	48 060	49 338	50 617	51 895			
Net D	27 814	28 543	29 272	30 001	30 729	31 458	32 187	32 915	33 644	34 373	35 101	35 830			
Net S	26 101	26 768	27 435	28 102	28 769	29 436	30 099	30 755	31 413	32 070	32 727	33 384			
Assistant Officer															
P-1 Gross	28 521	29 633	30 769	31 917	33 065	34 214	35 374	36 561	37 748	38 935					
Net D	22 018	22 719	23 419	24 120	24 820	25 520	26 221	26 921	27 621	28 322					
Net S	20 776	21 422	22 066	22 710	23 354	23 999	24 642	25 283	25 924	26 565					

D= Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

[a] This scale represents the result of a consolidation of five multiplier points of post adjustment into net base salary. There will be consequential adjustments in the post adjustment indices and multipliers at all duty stations, effective 1 March 1991. Thereafter, changes in post adjustment classifications will be effected on the basis of the movements of the newly consolidated post adjustment indices.

ANNEX II

Amendment to the Staff Regulations of the United Nations

Regulation 3.3

Replace the table under assessment in subparagraph (*b*) (i) by the following tables:

"*Assessment*
(*In percentages*)

Total assessable payments (United States dollars)	*Staff assessment rates for purposes of pensionable remuneration and pensions*
First $15 000 per year	4
Next $10 000 per year	20
Next $10 000 per year	25
Next $20 000 per year	29
Next $20 000 per year	32
Next $20 000 per year	35
Next $30 000 per year	37
Remaining assessable payments	39

	Staff assessment rates used in conjunction with gross base salaries and the gross amounts of separation payments	
Total assessable payments (United States dollars)	*Staff member with a dependent spouse or a dependent child*	*Staff member with neither a dependent spouse nor a dependent child*
First $15 000 per year	13.0	17.5
Next $ 5 000 per year	31.0	34.3
Next $ 5 000 per year	34.0	38.6
Next $ 5 000 per year	37.0	41.9
Next $ 5 000 per year	39.0	43.9
Next $10 000 per year	41.0	46.0
Next $10 000 per year	43.0	48.6
Next $10 000 per year	45.0	50.4
Next $15 000 per year	46.0	50.6
Next $20 000 per year	47.0	54.1
Remaining assessable payments	48.0	57.0".

45/242. United Nations pension system

The General Assembly,

Recalling its resolution 44/199 of 21 December 1989,

Having considered the report of the United Nations Joint Staff Pension Board for 1990 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund,[44] chapter III of the report of the International Civil Service Commission,[41] the report of the Secretary-General on the investments of the Fund,[45] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[46]

I

PENSIONABLE REMUNERATION OF STAFF IN THE PROFESSIONAL AND HIGHER CATEGORIES

Recalling its request in section I, paragraph 6, of its resolution 41/208 of 11 December 1986 to the International Civil Service Commission to undertake, in full co-operation with the United Nations Joint Staff Pension Board, a further comprehensive review of the methodology for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment between comprehensive reviews, and to submit its recommendations thereon to the General Assembly at its forty-fifth session,

Recalling also its request in section II, paragraph 2, of its resolution 44/199 to the Commission, in full co-operation with the Board, to study the desirability of establishing a margin range between the pensionable remuneration of staff in the Professional and higher categories in the United Nations common system and staff in comparable grades in the comparator civil service,

Noting with satisfaction that the close co-operation between the Commission and the Board has resulted in agreement between the two bodies on the substantive issues involved in the determination of the scale of pensionable remuneration, as reflected in their respective reports,

Taking note of the views of the Commission and the Board on the desirability of a margin range for pensionable remuneration, as set out in paragraphs 33 to 37 of the report of the Commission[41] and paragraphs 50 to 55 of the report of the Board,[44]

Recalling the criteria established by the General Assembly in section I of its resolution 41/208 for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories,

1. *Approves* the recommendations made by the International Civil Service Commission and the United Nations Joint Staff Pension Board for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment in between comprehensive reviews, namely:

(*a*) That income replacement in New York should continue to be used as the basis of the methodology for the determination of pensionable remuneration of staff in the Professional and higher categories, bearing in mind the relationship between pensionable remuneration amounts for United Nations staff in the Professional and higher categories and for their counterparts in the United States federal civil service;

(*b*) That the methodology used to establish the 1 April 1987 scale of pensionable remuneration on the occasion of the previous comprehensive review should continue to be used;

(*c*) That the scale of staff assessment shown in annex III to the report of the Commission[41] should be used for the determination of pensionable remuneration of staff in the Professional and higher categories;

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[44] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 9* (A/45/9).

[45] A/C.5/45/7.

[46] A/45/699.

(*d*) That the interim adjustment procedure, as amended by the General Assembly at its forty-fourth session, should be continued;

(*e*) That the procedure outlined in annex IV to the report of the Commission[41] should be used for the calculation and reporting of the annual pensionable remuneration margin;

(*f*) That the income replacement ratios applicable over the three-year period ending on 31 December of the margin year should be calculated for both the comparator and the United Nations system and reported to the General Assembly;

(*g*) That, following the annual review of the pensionable remuneration margin and the income replacement ratios, the Commission and the Board should report and make their respective recommendations, as appropriate, to the General Assembly;

2. *Amends,* with effect from 1 January 1991, article 54 (*b*) of the Regulations of the United Nations Joint Staff Pension Fund, as set out in the annex to the present resolution;

3. *Requests* the Commission, in full co-operation with the Board, to undertake in 1995 a further comprehensive review of the methodology for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment between comprehensive reviews, and to submit recommendations thereon to the General Assembly at its fiftieth session;

II

PENSIONABLE REMUNERATION AND PENSIONS OF UNGRADED OFFICIALS

Taking note of the information provided in paragraphs 59 to 67 of the report of the United Nations Joint Staff Pension Board,[44] and in annex IV thereto, on the pensionable remuneration and net remuneration of ungraded officials, including the executive heads of member organizations of the United Nations Joint Staff Pension Fund, and on the possible amendments to the Regulations of the Fund considered by the Board to cover such officials,

Noting that the International Civil Service Commission, in the light of the advisory opinion it had received from the United Nations Legal Counsel, concluded that it had neither the statutory authority nor the mandate from the General Assembly to address the matter of the pensionable remuneration of ungraded officials,

Believing that a common system approach should be used for the determination of the pensionable remuneration and pensions of all participants in the Fund, including ungraded officials,

1. *Expresses concern* at the divergent practices that have emerged since 1984 in the common system in respect of the pensionable remuneration of ungraded officials;

2. *Requests* the International Civil Service Commission, in full co-operation with the United Nations Joint Staff Pension Board, to review the methodology for the determination of the pensionable remuneration of ungraded officials, including the executive heads of member organizations, who are participants in the United Nations Joint Staff Pension Fund, and to submit recommendations thereon to the General Assembly at its forty-sixth session, and requests the Board to recommend consequential changes in the Regulations of the Fund;

3. *Invites* the governing bodies and executive heads of the member organizations of the Fund to co-operate with the Commission and the Board, taking account of the information contained in paragraphs 59 to 67 of the report of the Board,[44] and in annex IV thereto;

III

PENSIONABLE REMUNERATION OF STAFF IN THE GENERAL SERVICE AND OTHER LOCALLY RECRUITED CATEGORIES

1. *Takes note* of the intention of the International Civil Service Commission to undertake, in 1991, in full co-operation with the United Nations Joint Staff Pension Board, a comprehensive review of the pensionable remuneration and consequent pensions of staff in the General Service and other locally recruited categories and of the arrangements, designed to ensure full co-operation in the conduct of the review, agreed upon by the Commission as set out in paragraphs 55 to 57 of its report[41] and by the Board as set out in paragraphs 72 to 75 of its report;[44]

2. *Requests* the Commission, in full co-operation with the Board, to submit recommendations thereon to the General Assembly at its forty-sixth session;

IV

CHANGES IN THE PENSION ADJUSTMENT SYSTEM

1. *Takes note* of section III.E of the report of the United Nations Joint Staff Pension Board[44] on the pension adjustment system, in particular of the modifications of that system considered by the Board, including the proposal of the International Telecommunication Union, for the determination of the initial local currency pension in the light of the expiration on 31 December 1990 of the interim measure approved by the General Assembly in its resolution 42/222 of 21 December 1987;

2. *Takes note also* of the arrangements made by the Board to continue, in 1991, its efforts to develop a long-term approach to the determination of the initial local currency pension;

3. *Approves,* with effect from 1 January 1991, the transitional measure recommended by the Board in paragraph 114 of its report,[44] and the consequential change in the pension adjustment system, as set out in annex X to the report of the Board;

4. *Also approves,* with retroactive effect to 1 July 1990, the change in the pension adjustment system resulting from the introduction of a new salary structure for staff in the Professional and higher categories, as set out in annex X to the report of the Board;[44]

5. *Requests* the Board to give priority to the development of a long-term approach to the determination of initial local currency pensions, taking into account the observations made by the Advisory Committee on Administrative and Budgetary Questions in paragraphs 25 to 27 of its report[46] and the need to safeguard the

financial health of the United Nations Joint Staff Pension Fund while, at the same time, responding to the problems caused by the declining value of pensions in certain countries resulting from currency exchange rate fluctuations, and to submit recommendations on appropriate changes in the pension adjustment system to the General Assembly at its forty-sixth session;

6. *Invites* the governing bodies of the other member organizations of the Fund to refrain from seeking to establish for their staff, whether by provisions in their staff regulations or by other means, additional pension entitlements, as such action would be detrimental to the common system under which all staff should receive equal treatment, irrespective of their employing organization;

V

ASSISTANCE TO THE INTERNATIONAL LABOUR ORGANISATION IN IMPLEMENTING JUDGEMENT NO. 990 OF ITS ADMINISTRATIVE TRIBUNAL

1. *Takes note* of the information provided in paragraphs 188 and 189 of the report of the United Nations Joint Staff Pension Board[44] on the International Labour Organisation Administrative Tribunal Judgement No. 990 [*In re* Cuvillier (No. 3)] and the request by the Director-General of the International Labour Organisation for assistance by the Board in implementing that judgement;

2. *Concurs* with the views of the Board, as set out in paragraph 190 of its report,[44] that the assistance requested should be provided only if the conditions specified in that paragraph are met;

3. *Urges* the Governing Body of the International Labour Organisation, in considering possible amendments to article 3.1.1. of its Staff Regulations, to ensure that the text it eventually adopts corresponds to the provisions in the staff regulations of the other member organizations of the United Nations Joint Staff Pension Fund which define pensionable remuneration by direct reference to its definition in the Regulations of the Fund, so that pensionable remuneration would be defined uniformly for the staff of all the member organizations of the Fund;

VI

OTHER MATTERS

Takes note of the other matters considered in the report of the United Nations Joint Staff Pension Board;[44]

VII

INVESTMENTS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

1. *Takes note* of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund;[45]

2. *Requests* Member States that do not now grant tax exemptions on investments of the Fund to make all possible efforts to permit such exemptions.

72nd plenary meeting
21 December 1990

ANNEX

Amendment to the Regulations of the United Nations Joint Staff Pension Fund

Article 54

PENSIONABLE REMUNERATION

Replace paragraph (*b*) by the following text:

"(*b*) In the case of participants in the Professional and higher categories, the pensionable remuneration effective 1 November 1990 shall be that set out in the appendix hereto. Thereafter, the scale of pensionable remuneration for such participants shall be adjusted as from the same date as the net remuneration amounts of officials in the Professional and higher categories in New York are adjusted. Such adjustment shall be by a uniform percentage equal to the variation in the net remuneration amounts, as determined by the International Civil Service Commission."

APPENDIX

Scale of pensionable remuneration for staff in the Professional and higher catagories

(In United States dollars)

(Effective 1 November 1990)

Level	Steps														
	I	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*	*XIV*	*XV*
USG	137 349														
ASG	127 082														
D-2	106 311	108 863	111 269	113 766	116 320	118 931									
D-1	93 733	95 857	98 025	100 151	102 326	104 483	106 571	108 701	110 873						
P-5	83 208	85 115	86 940	88 801	90 729	92 516	94 421	96 618	98 585	100 430	102 310	104 225	106 175		
P-4	68 407	70 219	72 022	73 739	75 607	77 404	79 231	81 256	83 115	85 087	86 402	88 263	90 164	92 106	94 090
P-3	56 051	57 792	59 474	61 079	62 734	64 369	66 111	68 193	69 559	71 399	72 749	74 354	76 016	77 715	79 453
P-2	45 302	46 750	48 121	49 590	51 058	52 397	53 856	55 567	57 188	58 652	59 788	60 947			
P-1	35 525	36 744	37 824	38 925	40 139	41 228	42 533	44 234	45 669	46 978					

45/243. Financing of the United Nations Disengagement Observer Force

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Disengagement Observer Force,[47] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[48]

Bearing in mind Security Council resolution 350 (1974) of 31 May 1974, by which the Council established the United Nations Disengagement Observer Force, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 679 (1990) of 30 November 1990,

Recalling its resolution 3211 B (XXIX) of 29 November 1974 on the financing of the United Nations Emergency Force and the United Nations Disengagement Observer Force and its subsequent resolutions thereon, the latest of which was resolution 44/187 of 21 December 1989,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by the United Nations Disengagement Observer Force, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the United Nations Disengagement Observer Force by one Government,

Having regard to the financial position of the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force, as set forth in the report of the Secretary-General, and referring to paragraphs 16 to 18 and 27 of the report of the Advisory Committee,

Recognizing that, as a consequence of the withholding of contributions by certain Member States, the surplus balances in the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force have, in effect, been drawn upon to supplement the income received from contributions for meeting expenses of the Forces,

Mindful of the fact that it is essential to provide the United Nations Disengagement Observer Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Decides* to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of 20,208,000 United States dollars gross (19,698,000 dollars net) authorized and apportioned by the Assembly in paragraph 6 of its resolution 44/187 for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 30 November 1990, inclusive;

2. *Decides also* to appropriate to the Special Account an amount of 20,679,000 dollars for the operation of the United Nations Disengagement Observer Force for the period from 1 December 1990 to 31 May 1991, inclusive;

3. *Decides further*, as an *ad hoc* arrangement, to apportion the amount of 20,679,000 dollars for the above-mentioned period among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;[49]

4. *Decides* that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the unencumbered balance of 887,000 dollars gross (765,000 dollars net) for the period from 1 December 1989 to 30 November 1990, inclusive;

5. *Decides also* that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the estimated income of 7,000 dollars other than staff assessment income approved for the period from 1 December 1990 to 31 May 1991, inclusive;

6. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 473,000 dollars approved for the period from 1 December 1990 to 31 May 1991, inclusive;

7. *Decides* that the surplus balance as at 31 December 1989 in the amount of 2,017,408 dollars shall be credited to Member States against their assessments in respect of such mandate periods as may be approved by the Security Council subsequent to 31 May 1991;

8. *Authorizes* the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed 3,446,500 dollars gross (3,366,500 dollars net) per month for the period from 1 June to 30 November 1991, inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 679 (1990), the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

9. *Decides* that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (*b*) of General Assembly resolution 43/232 and that its contribution to the United Nations Disengagement Ob-

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[47] A/45/716.

[48] See A/45/832.

[49] See resolution 43/223 A.

server Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

10. *Decides also* that Namibia shall be included in the group of Member States set out in paragraph 3 (*d*) of General Assembly resolution 43/232 and that its contribution to the United Nations Disengagement Observer Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

11. *Decides further* that, in accordance with regulation 5.2 (*c*) of the Financial Regulations of the United Nations, the contributions to the United Nations Disengagement Observer Force until 30 November 1990 of the Member States referred to in paragraphs 9 and 10 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 3 of the present resolution;

12. *Invites* voluntary contributions to the United Nations Disengagement Observer Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

13. *Requests* the Secretary-General to take all necessary action to ensure that the United Nations Disengagement Observer Force is administered with a maximum of efficiency and economy.

72nd plenary meeting
21 December 1990

45/244. Financing of the United Nations Interim Force in Lebanon

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Interim Force in Lebanon[51] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[48]

Bearing in mind Security Council resolution 425 (1978) of 19 March 1978, by which the Council established the United Nations Interim Force in Lebanon, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 659 (1990) of 31 July 1990,

Recalling its resolution S-8/2 of 21 April 1978 on the financing of the Force and its subsequent resolutions thereon, the latest of which was resolution 44/188 of 21 December 1989,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by the Force, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Having regard to the financial position of the Special Account for the Force, as set forth in the report of the Secretary-General, and referring to paragraph 13 of the report of the Advisory Committee,

Recalling its resolution 34/9 E of 17 December 1979 and the subsequent resolutions in which it decided that the provisions of regulations 5.2 (*b*), 5.2 (*d*), 4.3 and 4.4 of the Financial Regulations of the United Nations should be suspended, the latest of which was resolution 44/188,

Mindful of the fact that it is essential to provide the Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Noting with appreciation that voluntary contributions have been made to the Force by certain Governments,

Concerned that the Secretary-General continues to face difficulties in meeting the obligations of the Force on a current basis, including reimbursement to current and former troop-contributing States, resulting from the withholding of contributions by certain Member States,

Concerned also that the surplus balances in the Special Account for the Force have, in effect, been drawn upon to the full extent to supplement the income received from contributions for meeting expenses of the Force,

Concerned further that the application of the provisions of regulations 5.2 (*b*), 5.2 (*d*), 4.3 and 4.4 of the Financial Regulations of the United Nations would aggravate the already difficult financial situation of the Force,

1. *Decides* to appropriate to the Special Account referred to in section I, paragraph 1, of General Assembly resolution S-8/2 the amount of 144,012,000 United States dollars gross (141,672,000 dollars net) authorized and apportioned by the Assembly in paragraphs 2 and 3 of its resolution 44/188 for the operation of the United Nations Interim Force in Lebanon from 1 February 1990 to 31 January 1991, inclusive;

2. *Authorizes* the Secretary-General to enter into commitments for the operation of the Force at a rate not to exceed 12,789,000 dollars gross (12,557,000 dollars net) per month for the twelve-month period beginning 1 February 1991, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 659 (1990);

3. *Decides,* as an *ad hoc* arrangement, to apportion the amounts referred to in paragraph 2 above among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by

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[50] Resolution 45/256 B.

[51] A/45/802.

the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;[49]

4. *Decides also* that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (*b*) of General Assembly resolution 43/232 and that its contribution to the Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

5. *Decides further* that Namibia shall be included in the group of Member States set out in paragraph 3 (*d*) of General Assembly resolution 43/232 and that its contribution to the Force shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

6. *Decides* that, in accordance with regulation 5.2 (*c*) of the Financial Regulations of the United Nations, the contributions to the Force until 31 January 1991 of the Member States referred to in paragraphs 4 and 5 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 3 of the present resolution;

7. *Decides also* that the provisions of regulations 5.2 (*b*), 5.2 (*d*), 4.3 and 4.4 of the Financial Regulations of the United Nations shall be suspended in respect of the amount of 21,897,147 dollars, which otherwise would have to be surrendered pursuant to those provisions, this amount to be entered in the account referred to in the operative part of General Assembly resolution 34/9 E and held in suspense until a further decision is taken by the Assembly;

8. *Requests* the Secretary-General to take all necessary measures to ensure that the Force shall be administered with a maximum of efficiency and economy;

9. *Renews its invitation* to Member States and other interested parties to make voluntary contributions to the Force both in cash and in the form of services and supplies acceptable to the Secretary-General and also to make voluntary contributions in cash to the Suspense Account established in accordance with General Assembly resolution 34/9 D of 17 December 1979.

72nd plenary meeting
21 December 1990

45/245. Financing of the United Nations Iran-Iraq Military Observer Group

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Iran-Iraq Military Observer Group,[52] and the related oral report of the Chairman of the Advisory Committee on Administrative and Budgetary Questions,[53]

Bearing in mind Security Council resolution 619 (1988) of 9 August 1988, by which the Council established the United Nations Iran-Iraq Military Observer Group, and the subsequent resolutions by which the Council extended the mandate of the Military Observer Group, the latest of which was resolution 676 (1990) of 28 November 1990,

Recalling its resolution 42/233 of 17 August 1988 on the financing of the Military Observer Group and its subsequent resolutions thereon, the latest of which was resolution 44/189 of 21 December 1989,

Reaffirming that the costs of the Military Observer Group are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Military Observer Group, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Military Observer Group by certain Governments,

Mindful of the fact that it is essential to provide the Military Observer Group with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Concurs* with the observations, recommendations and conclusions made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions;[53]

2. *Urges* all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Iran-Iraq Military Observer Group in full and on time;

3. *Decides* to appropriate to the Special Account referred to in General Assembly resolution 42/233 the amount of 29.8 million United States dollars gross (29 million dollars net) authorized by the Assembly and apportioned in accordance with paragraphs 5 and 7 of its resolution 44/189 for the operation of the Military Observer Group for the period from 1 April to 30 September 1990;

4. *Decides also* that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the unencumbered balance of 5 million dollars gross for the period from 1 April to 30 September 1990, inclusive;

5. *Decides further* to appropriate to the Special Account the amount of 9,823,000 dollars gross (9,503,000 dollars net) authorized by the General Assembly and apportioned in accordance with paragraphs 6 and 7 of its resolution 44/189 for the operation of the Military

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[52] A/45/847.

[53] See *Official Records of the General Assembly, Forty-fifth Session, Fifth Committee*, 49th meeting, and corrigendum.

Observer Group for the period from 1 October to 30 November 1990;

6. *Decides* that there shall be set off against the apportionment among Member States, as provided for in paragraph 5 of the present resolution, their respective share in the unencumbered balance of 9,823,000 dollars gross (9,503,000 dollars net) for the period from 1 October to 30 November 1990, inclusive;

7. *Decides also* to appropriate to the Special Account the amount of 7,274,000 dollars gross (6,946,000 dollars net) authorized by the General Assembly and apportioned in accordance with paragraphs 6 and 7 of its resolution 44/189 for the operation of the Military Observer Group for the period from 1 December 1990 to 31 January 1991;

8. *Decides further* that there shall be set off against the apportionment among Member States, as provided for in paragraph 7 of the present resolution, their respective share in the unencumbered balance of 7,274,000 dollars gross (6,946,000 dollars net) in respect of the period from 1 December 1990 to 31 January 1991, inclusive;

9. *Decides* to defer any action on the estimated unencumbered balance of the appropriations as may be called for until its forty-sixth session;

10. *Authorizes* the Secretary-General to enter into commitments for the Military Observer Group at a rate not to exceed 3,475,000 dollars gross (3,269,000 dollars net) per month, subject to the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, for the period from 1 February 1991 to 31 January 1992, inclusive, should the Security Council decide to continue the Group beyond the period of two months authorized under its resolution 676 (1990), the said amounts to be apportioned among Member States in accordance with the scheme set out in the present resolution;

11. *Decides,* as an *ad hoc* arrangement, to apportion the amounts referred to in paragraph 10 of the present resolution among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;[49]

12. *Decides also* that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (*b*) of General Assembly resolution 43/232 and that its contribution to the Military Observer Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

13. *Decides further* that Namibia shall be included in the group of Member States set out in paragraph 3 (*d*) of General Assembly resolution 43/232 and that its contribution to the Military Observer Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

14. *Decides* that, in accordance with regulation 5.2 (*c*) of the Financial Regulations of the United Nations, the contributions to the Military Observer Group until 30 September 1990 of the Member States referred to in paragraphs 12 and 13 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 11 of the present resolution;

15. *Approves* the following special arrangements for the Military Observer Group with regard to the application of article IV of the Financial Regulations of the United Nations, whereby appropriations required in respect of obligations owed to Governments providing contingents and/or logistic support to the Group shall be retained beyond the period stipulated under financial regulations 4.3 and 4.4:

(*a*) At the end of the twelve-month period provided in regulation 4.3, any unliquidated obligations of the financial period in question relating to goods supplied and services rendered by Governments for which claims have been received or which are covered by established reimbursement rates shall be transferred to accounts payable; such accounts payable shall remain recorded in the Special Account until payment is effected;

(*b*) (i) Any other unliquidated obligations of the financial period in question owed to Governments for goods supplied and services rendered, as well as other obligations owed to Governments, for which required claims have not yet been received shall remain valid for an additional period of four years following the end of the twelve-month period provided for in regulation 4.3;

(ii) Claims received during this four-year period shall be treated as provided under subparagraph (*a*) above, if appropriate;

(iii) At the end of the additional four-year period any unliquidated obligations shall be cancelled and the then remaining balance of any appropriations retained therefor will be surrendered;

16. *Requests* the Secretary-General to submit to the Advisory Committee proposed guidelines for setting limits to the period within which Governments are required to submit their claims;

17. *Invites* voluntary contributions to the Military Observer Group in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

18. *Requests* the Secretary-General to take all necessary action to ensure that the Military Observer Group is administered with a maximum of efficiency and economy.

72nd plenary meeting
21 December 1990

45/246. Financing of the United Nations Angola Verification Mission

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Angola

Verification Mission,[54] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[55]

Bearing in mind Security Council resolution 626 (1988) of 20 December 1988, by which the Council established the United Nations Angola Verification Mission for a period of thirty-one months,

Reaffirming that the costs of the Verification Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Verification Mission, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Verification Mission by a Government,

Mindful of the fact that it is essential to provide the Verification Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

1. *Concurs* with the observations, recommendations and conclusions contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[55]

2. *Urges* all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Angola Verification Mission in full and on time;

3. *Decides,* taking into account the outstanding assessed contributions due to the Special Account for the United Nations Angola Verification Mission, to defer any action on the estimated unencumbered balance of the appropriations as may be called for until its forty-sixth session;

4. *Decides also* to appropriate to the Special Account an amount of 4,381,900 United States dollars for the operation of the Verification Mission for the period from 3 January to 2 August 1991;

5. *Decides further,* as an *ad hoc* arrangement, to apportion the amount of 4,381,900 dollars for the above-mentioned period among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;[49]

6. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 5 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 158,000 dollars approved for the period from 3 January to 2 August 1991, inclusive;

7. *Approves* the request of the Secretary-General that he proceed with the disposition of the assets of the Verification Mission as proposed in paragraph 9 of his report[54] and paragraph 12 of the report of the Advisory Committee;[55]

8. *Decides* that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (*b*) of General Assembly resolution 43/232 and that its contribution to the Verification Mission shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

9. *Decides also* that Namibia shall be included in the group of Member States set out in paragraph 3 (*d*) of General Assembly resolution 43/232 and that its contribution to the Verification Mission shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

10. *Decides further* that, in accordance with regulation 5.2 (*c*) of the Financial Regulations of the United Nations, the contributions to the Verification Mission until 2 January 1991 of the Member States referred to in paragraphs 8 and 9 above shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 5 above;

11. *Invites* voluntary contributions to the Verification Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

12. *Requests* the Secretary-General to take all necessary action to ensure that the Verification Mission is administered with a maximum of efficiency and economy.

72nd plenary meeting
21 December 1990

45/247. Financing of the United Nations Observer Group in Central America

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Observer Group in Central America[56] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[57]

Bearing in mind Security Council resolution 644 (1989) of 7 November 1989, by which the Council established the United Nations Observer Group in Central America and the subsequent resolutions by which the Council extended the mandate of the Group, the latest of which was resolution 675 (1990) of 5 November 1990,

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[54] A/45/718.

[55] A/45/827.

[56] A/45/833.

[57] A/45/867.

Reaffirming that the costs of the Group are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Group, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Group by certain Member States,

Mindful of the fact that it is essential to provide the Group with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Concurs* with the observations, recommendations and conclusions contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[57]

2. *Urges* all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Observer Group in Central America in full and on time;

3. *Decides* to appropriate to the Special Account for the United Nations Observer Group in Central America the amount of 27,144,600 United States dollars gross (26,337,000 dollars net) authorized and apportioned by the General Assembly in paragraph 5 of its resolution 44/44 of 7 December 1989 for the operation of the Group for the period from 7 May to 7 November 1990, inclusive;

4. *Decides also* that there shall be set off against the apportionment among Member States for the period 7 May to 7 November 1990, as provided for in paragraph 3 of the present resolution, their respective share in the unencumbered balance of 10,219,300 dollars gross (9,989,800 dollars net) in respect of the period from 7 November 1989 to 7 May 1990, inclusive;

5. *Decides further* to appropriate to the Special Account an amount of 19,410,200 dollars for the operation of the Group for the period from 7 November 1990 to 7 May 1991, inclusive;

6. *Decides,* as an *ad hoc* arrangement, to apportion the amount of 19,410,200 dollars for the above-mentioned period among Member States in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolution 44/192 B of 21 December 1989, and taking into account the scale of assessments for the years 1989, 1990 and 1991;[49]

7. *Decides also* that there shall be set off against the apportionment among Member States, as provided for in paragraph 6 of the present resolution, their respective share in the unencumbered balance of 1,718,000 dollars for the period from 7 November 1989 to 7 November 1990, inclusive;

8. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 6 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 591,600 dollars approved for the period from 7 November 1990 to 7 May 1991, inclusive;

9. *Authorizes* the Secretary-General to enter into commitments for the Group at a rate not to exceed 2,730,000 dollars gross (2,633,000 dollars net) per month, with the prior concurrence of the Advisory Committee, for the period from 7 May to 7 November 1991, inclusive, should the Security Council decide to continue the Group beyond the period of six months authorized under its resolution 675 (1990), the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

10. *Decides* that Liechtenstein shall be included in the group of Member States set out in paragraph 3 (*b*) of General Assembly resolution 43/232 and that its contribution to the Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

11. *Decides also* that Namibia shall be included in the group of Member States set out in paragraph 3 (*d*) of General Assembly resolution 43/232 and that its contribution to the Group shall be calculated in accordance with the provisions of the resolution to be adopted by the Assembly at its forty-fifth session regarding the scale of assessments;[50]

12. *Decides further* that, in accordance with regulation 5.2 (*c*) of the Financial Regulations of the United Nations, the contributions to the Group until 7 November 1990 of the Member States referred to in paragraphs 10 and 11 of the present resolution shall be treated as miscellaneous income to be set off against the apportionments authorized in paragraph 6 of the present resolution;

13. *Invites* voluntary contributions to the Group in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolution 44/192 A of 21 December 1989;

14. *Requests* the Secretary-General to take all necessary action to ensure that the Group is administered with a maximum of efficiency and economy.

72nd plenary meeting
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45/248. Questions relating to the programme budget for the biennium 1990-1991

A

The General Assembly

I

FIRST REPORT OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

Takes note with appreciation of the first report of the Advisory Committee on Administrative and Budgetary Questions;[58]

II

WORK-LOAD STANDARDS FOR VARIOUS CATEGORIES OF CONFERENCE-SERVICING STAFF, INCLUDING CLERICAL AND TYPING STAFF, AND WORK-LOAD STATISTICS FOR THE VARIOUS CONFERENCE SERVICES IN THE 1986-1987 AND 1988-1989 BIENNIUMS

Having considered the report of the Secretary-General on work-load standards for conference-servicing staff[59] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[60]

1. *Takes note* of the Secretary-General's revised work-load standards, as modified by the Advisory Committee on Administrative and Budgetary Questions;

2. *Notes* that the revised work-load standards reflect a further step towards enhanced productivity of conference-servicing staff, including improvements achieved through the application of new technologies;

3. *Urges* the Secretary-General and the Advisory Committee to keep these standards under review in order further to enhance economy and efficiency in conference-servicing activities;

4. *Requests* the Secretary-General to pursue through the Administrative Committee on Co-ordination the elaboration of unified work-load standards for conference-servicing staff within the United Nations common system and to report thereon, through the Advisory Committee, to the General Assembly at its forty-seventh session;

5. *Requests* the Advisory Committee to review with the organizations of the United Nations system during this time the efforts being undertaken to achieve the harmonization of work-load standards in conference-servicing of all organizations of the United Nations system;

6. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session, through the Advisory Committee, on progress relating to the further development of work-load standards in conference-servicing for all United Nations conference facilities, including those of the regional commissions;

III

INTERNATIONAL COMPUTING CENTRE: 1991 BUDGET ESTIMATES

Approves the 1991 budget estimates of the International Computing Centre, amounting to 10,515,500 United States dollars, as contained in the report of the Secretary-General;[61]

IV

RECOMMENDATION OF THE ADVISORY BOARD ON DISARMAMENT MATTERS

Concurs with the recommendations of the Advisory Committee on Administrative and Budgetary Questions in paragraphs 6 and 7 of its report;[62]

V

AFRICAN INSTITUTE FOR ECONOMIC DEVELOPMENT AND PLANNING

Concurring with the recommendations of the Advisory Committee on Administrative and Budgetary Questions in paragraph 14 of its report,[63]

1. *Requests* the Governing Council of the United Nations Development Programme to urge the Administrator of the Programme to implement fully Economic and Social Council resolution 1990/72 of 27 July 1990, as follows:

(*a*) To give its full backing to the short-term training programme and the research and advisory activities of the African Institute for Economic Development and Planning;

(*b*) To continue its support for the activities of the Institute;

2. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of its request to the Governing Council;

VI

COMPREHENSIVE REVIEW OF THE AFTER-SERVICE HEALTH INSURANCE PROGRAMME

Takes note of the report of the Secretary-General[64] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[65]

VII

FUNCTIONING AND ADMINISTRATIVE SUPPORT OF THE DEPARTMENTS HAVING MANDATES RELATED TO GLOBAL SOCIAL DEVELOPMENT ISSUES

Takes note of the report of the Secretary-General;[66]

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[58] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7.

[59] A/C.5/45/1.

[60] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.1.

[61] A/C.5/45/9.

[62] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.5.

[63] *Ibid.*, document A/45/7/Add.8.

[64] A/C.5/45/33.

[65] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.9.

[66] A/C.5/45/4.

VIII

CONFERENCE SERVICES AND DIVISION OF ADMINISTRATIVE AND COMMON SERVICES AT VIENNA

1. *Takes note* of the reports of the Secretary-General[67] and the related comments of the United Nations Industrial Development Organization;[68]

2. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraphs 11, 25, 27 and 28 of its report;[69]

IX

INTEGRATED MANAGEMENT INFORMATION SYSTEM PROJECT

1. *Takes note* of the report of the Secretary-General on the integrated management information system project;[70]

2. *Reiterates its request* that the Secretary-General report to the General Assembly on the cost benefits of the project;

X

CONSTRUCTION OF ADDITIONAL CONFERENCE FACILITIES AT ADDIS ABABA AND BANGKOK

1. *Takes note* of the report of the Secretary-General on the construction of additional conference facilities at Addis Ababa and Bangkok;[71]

2. *Requests* the Secretary-General to proceed with the projects in accordance with the revised timetables;

XI

FUNCTIONING OF THE MULTINATIONAL PROGRAMMING AND OPERATIONAL CENTRES OF THE ECONOMIC COMMISSION FOR AFRICA

1. *Takes note* of the report of the Secretary-General;[72]

2. *Endorses* the recommendations of the Advisory Committee on Administrative and Budgetary Questions;[73]

XII

UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

Approves the recommendation that, on an exceptional basis, payment be made for daily subsistence for representatives of the least developed countries from the Voluntary Fund for Supporting Developing Countries Participating in the United Nations Conference on Environment and Development and its Preparatory Process;

XIII

STANDARDS OF ACCOMMODATION FOR AIR TRAVEL

1. *Takes note* of the report of the Secretary-General;[74]

2. *Reaffirms* its resolutions 41/213 of 19 December 1986 and 42/214 of 21 December 1987;

3. *Requests* the Secretary-General to review the existing arrangements in regard to payment of subsistence allowance and standards of air travel by representatives of Member States in their official capacity to attend meetings of various intergovernmental bodies and for other United Nations official work and to submit concrete proposals to the General Assembly at its forty-sixth session, through the Advisory Committee on Administrative and Budgetary Questions, with a view to ensuring consistency of travel arrangements within the United Nations;

4. *Also requests* the Secretary-General to examine how the discounts and other incentives offered by various airlines could be utilized to provide savings to the United Nations and upgraded travel arrangements to representatives of Member States, experts attending meetings of subsidiary bodies and the Secretariat staff without incurring any additional expenditure and to include his recommendations in this regard in his report to the General Assembly at its forty-sixth session;

5. *Further requests* the Secretary-General, in the interim, to continue to exercise his discretion in respect of business class travel for United Nations official work, taking into account the status of the traveller and in the light of the views expressed by Member States at the forty-fifth session of the General Assembly;[75]

6. *Requests* the Secretary-General to include in his report to the General Assembly at its forty-sixth session information on the meetings attended by eminent persons for whom exceptions have been made for first class travel;

7. *Decides* to review at its forty-sixth session the arrangements regarding the payment of subsistence allowance and accommodation for air travel on the basis of the report of the Secretary-General to the General Assembly at its forty-sixth session;

XIV

OPTICAL DISK STORAGE AND RETRIEVAL SYSTEM

1. *Decides* to defer until its forty-sixth session consideration of the report of the Secretary-General on the optical disk storage and retrieval system;[76]

2. *Requests* the Secretariat to carry out consultations with the permanent missions in order to determine the appropriateness of making the system compatible with those of permanent missions and to report thereon to the General Assembly at its forty-sixth session;

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[67] A/C.5/45/30 and A/C.5/45/32.

[68] See A/C.5/45/62 and A/C.5/45/63.

[69] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.6.

[70] A/C.5/45/20.

[71] A/C.5/45/53.

[72] A/C.5/45/57.

[73] See *Official Records of the General Assembly, Forty-fifth Session, Fifth Committee,* 44th meeting, and corrigendum.

[74] A/C.5/45/28 and Corr.1.

[75] Under this paragraph, the General Assembly requests the Secretary-General to provide business class tickets to permanent representatives of Member States accredited to the United Nations whenever they are invited to travel on official United Nations work.

[76] A/C.5/45/58.

3. *Empowers* the Advisory Committee on Administrative and Budgetary Questions to authorize the Secretary-General to enter into commitments for additional requirements necessary for 1991, on the understanding that such appropriations as may be necessary for 1991 would have first call on the contingency fund of the programme budget for the biennium 1990-1991 at the forty-sixth session;

XV

CONTINGENCY FUND

Notes that a balance of 3,218,700 dollars remains in the contingency fund.

72nd plenary meeting
21 December 1990

B

The General Assembly

I

REVISED ESTIMATES UNDER SECTIONS 3, 13, 27, 31 AND INCOME SECTION 1

SECTION 3C. NAMIBIA

1. *Reaffirms* its resolutions 44/243 A and B, of 11 September 1990, by which, *inter alia,* it dissolved the United Nations Council for Namibia and authorized the orderly completion of the programmes and activities for Namibia during the period 1990-1994;

2. *Decides,* having taken note of the recommendation of the Advisory Committee on Administrative and Budgetary Questions in paragraph 4 of its report[77] and of the request made by the Government of Namibia for the holding of a seminar on programme planning for the national reconstruction and development of Namibia, to appropriate an amount of 241,800 United States dollars for this seminar in the programme budget for the biennium 1990-1991;

3. *Accepts* the recommendation of the Advisory Committee contained in paragraph 7 of its report regarding the urgency of the redeployment of the remaining staff of the Office of the United Nations Commissioner for Namibia, on the understanding that the Secretary-General will report, as necessary, to the Advisory Committee on this question in the course of 1991;

4. *Reiterates its request* to the Secretary-General to provide assistance to the Government of Namibia in the preparation of a comprehensive national census, taking into account the recommendations of the Advisory Committee in paragraph 9 of its report;

5. *Accepts* the proposals of the Secretary-General related to the residual obligations of the United Nations Institute for Namibia whose operations have ceased on 30 September 1990, as decided in paragraphs 7 and 8 of resolution 44/243 B;

6. *Reiterates* its decision reflected in paragraph 15 of resolution 44/243 B that Namibians currently benefiting from assistance through the United Nations Educational and Training Programme for Southern Africa and through the United Nations Trust Fund for South Africa shall continue to be eligible for such assistance until they complete their programmes;

7. *Decides* that, in respect of the individual scholarship programme for Namibian students, should there be a shortfall in funding, the Secretary-General would be authorized to enter into commitments under the regular budget, subject to the prior concurrence of the Advisory Committee;

8. *Requests* the Secretary-General and the United Nations Trust Committee for the United Nations Fund for Namibia to give priority to the execution of the individual scholarship programme, including through an appeal early in 1991 for voluntary contributions;

9. *Also requests* the Secretary-General to report to the General Assembly at its forty-sixth session, through the Advisory Committee, on the financing of the individual scholarship programme for Namibian students;

SECTION 3B. DEPARTMENT FOR SPECIAL POLITICAL QUESTIONS, REGIONAL CO-OPERATION, DECOLONIZATION AND TRUSTEESHIP

10. *Accepts* the proposal of the Secretary-General to establish a Transitional Unit for Namibia in the Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship;

11. *Decides* that the Transitional Unit for Namibia shall be composed in 1991 of four temporary posts, two at the Professional level (1 P-5 and 1 P-3) and two at the General Service level;

12. *Accepts also* the proposal of the Secretary-General to redeploy within the Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship, one Professional post (P-4 level) and one General Service post (other level) from Programme support services to the Unit for Special Emergency Programmes;

13. *Decides* that the functions of the Unit for Special Emergency Programmes shall be reviewed by the Secretary-General, as recommended by the Advisory Committee on Administrative and Budgetary Questions, in the context of the preparation of the proposed programme budget for the biennium 1992-1993;

SECTION 3D. CENTRE AGAINST *APARTHEID*

14. *Takes note* of the proposals of the Secretary-General regarding the establishment and reclassification of posts in the Centre against *Apartheid,* and of the recommendations of the Advisory Committee on Administrative and Budgetary Questions thereon;

15. *Decides,* given the priority attached to activities against *apartheid,* to establish on a temporary basis one Professional post (P-3 level) and one General Service post (other level) in the Centre against *Apartheid;*

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[77] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.2.

SECTION 13. ECONOMIC COMMISSION FOR AFRICA

16. *Takes note* of the report of the Secretary-General[78] and the recommendations of the Advisory Committee on Administrative and Budgetary Questions;

17. *Recognizes* that urgent action needs to be taken to establish adequate standards of technology and management to ensure the efficient functioning of the Economic Commission for Africa;

18. *Approves* the proposed office automation project of the Economic Commission for Africa set out in the report of the Secretary-General;

19. *Decides* to appropriate an amount of 1,716,500 dollars for this purpose under section 13 of the programme budget for the biennium 1990-1991, as an exceptional measure, without prejudice to the new budgetary procedure set out in General Assembly resolution 41/213 of 19 December 1986, particularly paragraph 10 of annex I thereto;

SECTION 27. PUBLIC INFORMATION

20. *Takes note* of the proposals of the Secretary-General and the recommendations of the Advisory Committee on Administrative and Budgetary Questions on the financing of a new information centre, at Windhoek, in 1991;

21. *Recalls* recommendation 2 (*h*) contained in section II, paragraph 1, of its resolution 44/50 of 8 December 1989, and urges the Secretary-General to facilitate and expedite the establishment of an information centre at Windhoek;

22. *Requests* the Secretary-General to make the necessary arrangements, in consultation with the Government of Namibia, for organizing early in 1991 the briefings referred to in paragraph 82 (*b*) of his report;[78]

23. *Also requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the implementation of section I of the present resolution;

II

REVIEW OF TRANSLATION AND INTERPRETATION SERVICES FOR ALL OFFICIAL LANGUAGES IN THE ECONOMIC COMMISSION FOR AFRICA

Having considered the note by the Secretary-General on the review of the translation and interpretation services for all official languages in the Economic Commission for Africa,[79]

1. *Expresses its concern* over the difficulties experienced by the Economic Commission for Africa, particularly in the area of conference services;

2. *Requests* the Secretary-General to take action for the revival of a training programme for translators/précis-writers in all official languages of the Economic Commission for Africa and to report to the General Assembly at its forty-sixth session, through the Advisory Committee on Administrative and Budgetary Questions, on the measures taken;

3. *Also requests* the Secretary-General to ensure that this training programme is comparable in quality with other similar United Nations training programmes and to make every effort to utilize existing facilities and expertise within the region;

4. *Invites* the Secretary-General to take appropriate measures to ensure the immediate recruitment of those candidates who, after completing their training, have passed the competitive translators/précis-writers examination;

5. *Further requests* the Secretary-General to make proposals in the proposed programme budget for the biennium 1992-1993 on the improvement of conference services in the Economic Commission for Africa, including the provision of a permanent staff for interpretation;

6. *Decides* to consider again the question of conference services for the Economic Commission for Africa at its forty-sixth session, in the context of the proposed programme budget for the biennium 1992-1993;

III

ELECTORAL ASSISTANCE TO HAITI

1. *Decides* to appropriate an amount of 5 million dollars to be placed provisionally under the custody of the Secretary-General under section 1 of the programme budget for the biennium 1990-1991, on the understanding that such a decision does not imply any judgement on the nature of the activities of the United Nations Observer Group for the Verification of Elections in Haiti;

2. *Also decides* that this amount is to be financed as a revised estimate arising from extraordinary expenses;

3. *Further decides* that this should not prejudge the way to treat revised estimates arising from extraordinary expenses as referred to in paragraph 11 of annex I to its resolution 41/213 of 19 December 1986;

IV

INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING

Taking into account all relevant resolutions on the overall number of regular budget high-level posts in the Organization,

Bearing in mind the need to maintain the overall integrity of the United Nations Office at Vienna,

Requests the Secretary-General to propose a comprehensive restructuring of United Nations entities at Vienna with a view to a speedy implementation of the expressed wish of the General Assembly both to strengthen the United Nations Office at Vienna and to consolidate the United Nations drug structures under an Under-Secretary-General;

V

DEVELOPMENTS RELATING TO THE ACTIVITIES OF THE CENTRE FOR HUMAN RIGHTS

1. *Decides* to accept the proposal for additional posts made by the Secretary-General in paragraph 8 of

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[78] See A/C.5/45/2.

[79] A/C.5/45/26.

his report on developments relating to the activities of the Centre for Human Rights;[80]

2. *Also decides* that the Secretary-General shall enter into commitments for further resources equivalent to 1 P-4, 1 P-3 and 2 General Service posts subject to review and concurrence by the Advisory Committee on Administrative and Budgetary Questions on the basis of the results of his management and work-load analysis which will be completed no later than January 1991;

VI

PROCEDURES FOR ADMINISTRATIVE AND BUDGETARY MATTERS

1. *Reaffirms* that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. *Reaffirms also* the role of the Advisory Committee on Administrative and Budgetary Questions;

3. *Expresses its concern* at the tendency of its substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters;

4. *Invites* the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters.

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45/249. Conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly

The General Assembly,

Recalling its resolutions 35/221 of 17 December 1980 and 40/256 of 18 December 1985 on the conditions of service and compensation for officials, other than Secretariat officials, serving the General Assembly,

Having considered the report of the Secretary-General[81] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[82]

Reaffirming the principle that the conditions of service for the Chairman and Vice-Chairman of the International Civil Service Commission and for the Chairman of the Advisory Committee on Administrative and Budgetary Questions shall be separate and distinct from those of officials of the Secretariat,

1. *Decides* that, with effect from 1 January 1991, the annual compensation of the two full-time members of the International Civil Service Commission and of the Chairman of the Advisory Committee on Administrative and Budgetary Questions shall be 112,875 United States dollars, with an additional special allowance of 8,000 dollars for the Chairman of the Commission and the Chairman of the Advisory Committee;

2. *Approves* the recommendations of the Advisory Committee on Administrative and Budgetary Questions as contained in paragraphs 3 to 5 of its report with regard to the Chairman and Vice-Chairman of the Commission and the Chairman of the Advisory Committee, and decides that the other conditions of service for these officials shall remain unchanged;

3. *Decides* that the compensation and other conditions of service of the full-time members of the Commission and of the Chairman of the Advisory Committee shall next be reviewed at the fiftieth session of the General Assembly and that, pending such review, the annual compensation shall be adjusted in accordance with the procedure approved in paragraph 3 of its resolution 35/221.

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45/250. Conditions of service and compensation for officials other than Secretariat officials—members of the International Court of Justice

A

EMOLUMENTS

The General Assembly,

Recalling its resolutions 31/204 of 22 December 1976, 35/220 A of 17 December 1980 and 40/257 A of 18 December 1985 and section VI of its resolution 43/217 of 21 December 1988 on the emoluments of the members of the International Court of Justice,

Having considered the report of the Secretary-General[83] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[84]

1. *Decides* that, with effect from 1 January 1991, the annual salary of the members of the International Court of Justice shall be 145,000 United States dollars;

2. *Decides also* that the *ad hoc* judges referred to in Article 31 of the Statute of the International Court of Justice shall continue to receive for each day they exercise their functions one three-hundred-and-sixty-fifth of the annual salary payable at the time to a member of the Court;

3. *Decides further,* in between the regularly scheduled periodic reviews, to continue the system of floor/ceiling measures introduced pursuant to section VI of General Assembly resolution 43/217, in accordance with the recommendations contained in paragraphs 8 to 11 of the report of the Advisory Committee on Administrative and Budgetary Questions;[85]

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[80] A/C.5/45/66.

[81] A/C.5/45/21.

[82] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.13.

[83] A/C.5/45/44.

[84] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.10.

[85] *Ibid., Forty-third Session, Supplement No. 7* (A/43/7 and Add.1-13), document A/43/7/Add.6.

4. *Decides* that the emoluments and other conditions of service for the members of the International Court of Justice shall next be reviewed at its forty-eighth session.

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B

PENSION SCHEME

The General Assembly,

Recalling its resolutions 1562 (XV) of 18 December 1960, 1925 (XVIII) of 11 December 1963, 2367 (XXII) of 19 December 1967, 2890 A (XXVI) of 22 December 1971, 3193 A (XXVIII) of 18 December 1973, 3537 A (XXX) of 17 December 1975, 38/239 of 20 December 1983 and 40/257 B of 18 December 1985, on the pension scheme for the members of the International Court of Justice,

Having considered the report of the Secretary-General[83] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[84]

1. *Decides* that, with effect from 1 January 1991, the pension entitlement of a member of the International Court of Justice who has served a full term of nine years shall be 50,000 United States dollars a year and that the pension entitlement of a member of the Court who is re-elected shall be increased by an additional 250 dollars per month for each further month of service up to a maximum pension of 75,000 dollars per year;

2. *Also decides* that, with effect from 1 January 1991 and notwithstanding any provision to the contrary contained in the Pension Scheme Regulations for members of the International Court of Justice, the annual value of all pensions in course of payment as at 31 December 1990, including the pensions of any members of the Court who retire on or before that date, shall be increased by 22 per cent;

3. *Further decides* that the pension of the members of the International Court of Justice shall be subject to review whenever the annual salary of the members of the Court is reviewed;

4. *Concurs* with the recommendation of the Advisory Committee on Administrative and Budgetary Questions concerning the consequential changes in the Pension Scheme Regulations for the members of the International Court of Justice resulting from the recommendations as contained in paragraph 15 of its report.

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C

CONDITIONS OF SERVICE

The General Assembly,

Recalling section XIV of its resolution 37/237 of 21 December 1982, section XVII of its resolution 38/234 of 20 December 1983 and section V of its resolution 39/236 of 18 December 1984 on conditions of service and compensation for officials other than Secretariat officials, as well as its resolutions 40/257 C of 18 December 1985 and 43/226 of 21 December 1988,

Having considered the report of the Secretary-General[83] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[84]

1. *Decides* that, with effect from 1 January 1991, the President and the members of the International Court of Justice who have taken up primary residence at The Hague shall be reimbursed, up to a ceiling of 6,750 United States dollars, for the actual cost of educating their children in respect of each child each year up to the award of the first recognized degree and that provision shall be made for one related return journey per year in respect of each child from the place of scholastic attendance, when outside the Netherlands, to The Hague;

2. *Decides also* that, with effect from 1 January 1991, the President and the members of the International Court of Justice who have taken up primary residence at The Hague shall be reimbursed, up to a ceiling of 9,000 dollars, for the actual cost of educating their disabled children in respect of each child each year up to the award of the first recognized degree and that provision shall be made for one related return journey per year in respect of each child from the place of scholastic attendance, when outside the Netherlands, to The Hague;

3. *Decides further* that any increase in the level of the education grant, including the education grant regarding disabled children, applicable to staff in the Professional and higher categories decided upon by the General Assembly at its forty-fifth session shall be extended to the members of the International Court of Justice.

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45/251. Salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Director-General for Development and International Economic Co-operation and the Administrator of the United Nations Development Programme

The General Assembly,

Having considered the report of the Advisory Committee on Administrative and Budgetary Questions,[86]

1. *Concurs* with the recommendations of the Advisory Committee on Administrative and Budgetary Questions concerning the salary and retirement allowance of the Secretary-General contained in paragraphs 5 and 6 of its report and the procedure for adjusting the retirement allowance and payments to surviving spouses as contained in paragraph 7 of its report;

2. *Also concurs* with the recommendations of the Advisory Committee concerning the salary and pensionable remuneration of the Director-General for Development and International Economic Co-operation and the Administrator of the United Nations Development Programme, contained in paragraphs 3 and 4 of its report;

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[86] *Ibid., Forty-fifth Session, Supplement No. 7* (A/45/7 and Add.1-14), document A/45/7/Add.12.

3. *Approves* the amendment to annex I to the Staff Regulations of the United Nations with effect from 1 January 1991, as set forth in the annex to the present resolution.

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ANNEX

Amendment to annex I to the Staff Regulations of the United Nations

In paragraph 1, the salary figure for the Administrator of the United Nations Development Programme and the Director-General for Development and International Economic Co-operation shall read $US 151,233.

45/252. Programme budget for the biennium 1990-1991

A

REVISED BUDGET APPROPRIATIONS FOR THE BIENNIUM 1990-1991

The General Assembly

Resolves that, for the biennium 1990-1991:

1. The amount of 1,974,634,000 United States dollars appropriated by its resolution 44/202 A of 21 December 1989 shall be increased by 159,438,100 dollars as follows:

Section		*Amount appropriated by resolution 44/202 A*	*Increase or (decrease)*	*Revised appropriation*
			(United States dollars)	
	PART I. *Overall policy-making, direction and co-ordination*			
1.	Overall policy-making, direction and co-ordination	59 705 000	16 267 300	75 972 300
	TOTAL, PART I	59 705 000	16 267 300	75 972 300
	PART II. *Political and Security Council affairs; peace-keeping activities*			
2A.	Political and Security Council affairs; peace-keeping activities	88 089 300	3 082 900	91 172 200
2B.	Disarmament affairs activities	11 184 500	1 162 100	12 346 600
2C.	Office for Ocean Affairs and the Law of the Sea	8 196 900	175 400	8 372 300
	TOTAL, PART II	107 470 700	4 420 400	111 891 100
	PART III. *Political affairs, trusteeship and decolonization*			
3.	Political affairs, trusteeship and decolonization	35 988 200	(11 225 400)	24 762 800
	TOTAL, PART III	35 988 200	(11 225 400)	24 762 800
	PART IV. *Economic, social and humanitarian activities*			
4.	Policy-making organs (economic and social activities)	2 163 100	7 157 300	9 320 400
5A.	Office of the Director-General for Development and International Economic Co-operation	4 670 800	241 600	4 912 400
5B.	Regional Commissions New York Office	855 300	34 400	889 700
6.	Department of International Economic and Social Affairs	46 814 800	2 416 600	49 231 400
7.	Department of Technical Co-operation for Development	23 853 200	1 130 000	24 983 200
8.	Activities on global social development issues	9 985 700	1 625 900	11 611 600
9.	Transnational corporations	10 919 200	730 000	11 649 200
10.	Economic Commission for Europe	33 089 300	4 567 800	37 657 100
11.	Economic and Social Commission for Asia and the Pacific	39 791 400	1 504 500	41 295 900
12.	Economic Commission for Latin America and the Caribbean	49 010 700	8 295 200	57 305 900
13.	Economic Commission for Africa	57 725 700	1 581 400	59 307 100
14.	Economic and Social Commission for Western Asia	38 595 400	5 342 600	43 938 000
15.	United Nations Conference on Trade and Development	73 107 600	11 273 600	84 381 200
16.	International Trade Centre	15 400 800	1 454 900	16 855 700
17.	Centre for Science and Technology for Development	4 298 800	192 100	4 490 900
18.	United Nations Environment Programme	11 195 600	380 600	11 576 200
19.	United Nations Centre for Human Settlements (Habitat)	9 937 800	673 900	10 611 700

Section		*Amount appropriated by resolution 44/202 A*	*Increase or (decrease)*	*Revised appropriation*
		(United States dollars)		
20.	International drug control	8 333 600	2 206 400	10 540 000
21.	Office of the United Nations High Commissioner for Refugees	34 180 100	4 680 200	38 860 300
22.	Office of the United Nations Disaster Relief Co-ordinator	6 481 200	834 600	7 315 800
23.	Human rights	16 105 700	2 938 500	19 044 200
24.	Regular programme of technical co-operation	36 163 200	1 340 700	37 503 900
	TOTAL, PART IV	532 679 000	60 602 800	593 281 800
	PART V. *International justice and law*			
25.	International Court of Justice	13 333 000	1 416 000	14 749 000
26.	Legal activities	18 766 500	1 211 200	19 977 700
	TOTAL, PART V	32 099 500	2 627 200	34 726 700
	PART VI. *Public information*			
27.	Public information	87 225 400	4 546 100	91 771 500
	TOTAL, PART VI	87 225 400	4 546 100	91 771 500
	PART VII. *Common support services*			
28.	Administration and management	397 759 500	36 261 400	434 020 900
29.	Conference and library services	352 777 600	31 565 600	384 343 200
	TOTAL, PART VII	750 537 100	67 827 000	818 364 100
	PART VIII. *Special expenses*			
30.	United Nations bond issue	—	—	—
	TOTAL, PART VIII			
	PART IX. *Staff assessment*			
31.	Staff assessment	298 390 400	12 070 100	310 460 500
	TOTAL, PART IX	298 390 400	12 070 100	310 460 500
	PART X. *Capital expenditures*			
32.	Construction, alteration, improvement and major maintenance of premises	70 538 700	2 302 600	72 841 300
	TOTAL, PART X	70 538 700	2 302 600	72 841 300
	GRAND TOTAL	1 974 634 000	159 438 100	2 134 072 100

2. In addition to the appropriations approved under paragraph 1 of the present resolution, the amount of 19,000 dollars, appropriated by resolution 44/202 A for each year of the biennium 1990-1991 from accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment, is hereby increased to 51,000 dollars for each year of the biennium.

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B

REVISED INCOME ESTIMATES FOR THE BIENNIUM 1990-1991

The General Assembly

Resolves that, for the biennium 1990-1991, the estimates of income of 367,226,200 United States dollars approved by its resolution 44/202 B of 21 December 1989 shall be increased by 14,527,600 dollars as follows:

Income section	Amount approved by resolution 44/202 B	Increase or (decrease)	Revised estimates
	(United States dollars)		
PART I. *Income from staff assessment*			
1. Income from staff assessment	303 040 800	12 392 700	315 433 500
TOTAL, PART I	303 040 800	12 392 700	315 433 500
PART II. *Other income*			
2. General income	54 524 200	4 901 100	59 425 300
3. Revenue-producing activities	9 661 200	(2 766 200)	6 895 000
TOTAL, PART II	64 185 400	2 134 900	66 320 300
GRAND TOTAL	367 226 200	14 527 600	381 753 800

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C

FINANCING OF APPROPRIATIONS FOR THE YEAR 1991

The General Assembly

Resolves that for the year 1991:

1. Budget appropriations in a total amount of 1,146,755,100 United States dollars, consisting of 987,317,000 dollars, being one half of the appropriations initially approved for the biennium 1990-1991 by General Assembly resolution 44/202 A of 21 December 1989, plus 159,438,100 dollars, being the increase in appropriations approved during the forty-fifth session by resolution A above, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations as follows:

(*a*) 60,388,634 dollars, consisting of:

(i) 32,092,700 dollars, being half of the estimated income approved for the biennium 1990-1991 by Assembly resolution 44/202 B of 21 December 1989 other than staff assessment income;

(ii) 2,134,900 dollars, being the increase in estimated income other than staff assessment income approved by resolution B above;

(iii) 26,161,034 dollars, being the balance of the surplus account as at 31 December 1989;

(*b*) 1,086,366,466 dollars, being the assessment on Member States in accordance with General Assembly resolutions 43/223 A of 21 December 1988 and 45/256 B of 21 December 1990 on the scale of assessments for the years 1989, 1990 and 1991;

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of 164,966,760 dollars, consisting of:

(*a*) 151,520,400 dollars, being half of the estimated staff assessment income approved by resolution 44/202 B;

(*b*) Plus 12,392,700 dollars, being the estimated increase in income from staff assessment approved by resolution B above;

(*c*) Plus 1,053,660 dollars, being the increase in income from staff assessment compared to the revised estimates for the biennium 1988-1989, approved by General Assembly resolution 44/193 B of 21 December 1989.

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45/253. Programme planning

The General Assembly,

Recalling its resolutions 37/234 of 21 December 1982, 41/213 of 19 December 1986 and 43/219 of 21 December 1988 and taking note of Economic and Social Council resolution 1990/83 of 27 July 1990,

Having examined the proposed medium-term plan for the period 1992-1997,[87] including the introduction to the plan, which is a key integral element in the planning process, and the note by the Secretariat,[88] containing the consolidated summary of the comments and recommendations made by Member States and intergovernmental bodies since 1988 on the draft introduction to the medium-term plan for the period 1992-1997,

Having considered the note by the Chairman of the Fifth Committee reporting on the review of the proposed medium-term plan for the period 1992-1997 by the other Main Committees of the General Assembly,[89]

Having considered also the relevant parts of the report of the Economic and Social Council for 1990,[90]

Having considered further the report of the Committee for Programme and Co-ordination on the work of its thirtieth session,[91] the report of the Committee on Conferences[26] and the relevant parts of the report of the Advisory Committee on Administrative and Budgetary Questions,[92]

Having considered the reports of the Secretary-General on the programme performance of the United Nations for the biennium 1988-1989[93] and on the application of evaluation findings in programme design, delivery and policy directives,[94]

I

MEDIUM-TERM PLAN FOR THE PERIOD 1992-1997

1. *Adopts* the proposed medium-term plan for the period 1992-1997, together with the recommendations of the Committee for Programme and Co-ordination and the Committee on Conferences and the additional conclusions and recommendations contained in the annex to the present resolution, taking into account the views of the Main Committees of the General Assembly;

2. *Reaffirms* that the medium-term plan, as adopted, is the principal policy directive of the United Nations and shall serve as a framework for the formulation of the biennial programme budgets;

3. *Endorses* the methodological conclusions and recommendations on the format and content of the plan made by the Committee for Programme and Coordination and the Advisory Committee on Administrative and Budgetary Questions;

4. *Reiterates* the importance of regulations 3.5 and 3.6 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation regarding the scope and format of the plan and reaffirms the need for the Secretary-General to review the issues related to the full implementation of the regulations with a view to ensuring proper coverage and presentation of all the activities of the Organization;

5. *Emphasizes* the importance of the consultative process with Member States, which should be expanded to include as many programmes as possible;

6. *Also emphasizes* the need for the sectoral, regional and central reviewing bodies, in particular the Main Committees of the General Assembly, to improve the quality of their review of the programmes;

7. *Requests* the Secretary-General, in order to facilitate the review mentioned in paragraph 6 above to improve the quality of his proposals to those bodies as well as the timeliness and the procedure of their submission;

8. *Also requests* the Secretary-General to pursue his efforts in order to achieve greater concision, clarity, analytical rigour and prospective orientation of the plan;

9. *Invites* Member States to take appropriate measures to ensure their active participation in the relevant intergovernmental bodies for the review of the medium-term plan;

10. *Welcomes* the new simplified programme structure of the plan, and encourages the Secretary-General to continue the review and analysis of the structure, format and content of the plan, without reducing the content of the programmes and with a view to enhancing the usefulness of the plan as a tool for managing the activities of the Organization, and taking into account the observations made by the General Assembly at its forty-fifth session, the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions;

11. *Requests* the Secretary-General to submit the results of the review, together with the revisions to the plan, to the General Assembly at its forty-seventh session, through the Committee for Programme and Coordination at its thirty-second session, and the Advisory Committee on Administrative and Budgetary Questions;

12. *Takes note* of the overall priorities reflecting broad trends as derived from the mandates of the legislative organs, contained in the introduction to the plan, as well as the views expressed by Member States thereon, in particular concerning the maintenance of international peace and security, the economic development of developing countries, the economic recovery and development of Africa, the environment and international drug control;

13. *Endorses* the priorities at the subprogramme level proposed by the Secretary-General, together with the recommendations of the Committee for Programme and Co-ordination and those indicated in the annex to the present resolution;

14. *Requests* the Secretary-General to implement the plan with these priorities, taking duly into account the views expressed by Member States;

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[87] The proposed medium-term plan was issued in fascicles, under the symbol A/45/6. The medium-term plan as adopted was issued as *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 6* (A/45/6/Rev.1).

[88] A/45/279.

[89] A/C.5/45/42.

[90] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 3* (A/45/3/Rev.1).

[91] *Ibid., Supplement No. 16* (A/45/16).

[92] A/45/617.

[93] A/45/218 and Corr.1 and Add.1 and Add.1/Corr.1.

[94] A/45/204.

15. *Also requests* the Secretary-General, in accordance with regulation 3.18 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation to bring the decisions of the General Assembly on priorities to the attention of Member States and the governing boards of the voluntary funds, in order to facilitate coherence and co-ordination in the implementation of the plan;

16. *Reiterates* the need to implement fully the provisions of regulation 3.3 (*c*) and rule 103.3 (*j*) and (*k*) of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation regarding estimates of resources in the plan;

17. *Requests* the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to continue to study the questions arising from the effects of extrabudgetary resources on the implementation of the plan and the linkage between the medium-term plan and the programme budgets;

18. *Also requests* the Secretary-General to develop methods and procedures permitting the better use, for the preparation and the revisions of the medium-term plan, of the conclusions and recommendations contained in the reports of the Joint Inspection Unit and the external auditors, and those on evaluation and programme performance, as formulated by the competent intergovernmental organs;

II

PROGRAMME PERFORMANCE REPORT

1. *Takes note* of the report of the Secretary-General on the programme performance of the United Nations for the biennium 1988-1989[93] and the observations of the Advisory Committee on Administrative and Budgetary Questions in paragraphs 22 and 23 of its report;[92]

2. *Endorses* the conclusions and recommendations of the Committee for Programme and Co-ordination on the report of the Secretary-General on the programme performance of the United Nations for the biennium 1988-1989;

3. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session, through the Committee for Programme and Co-ordination at its thirty-first session and the Advisory Committee on Administrative and Budgetary Questions, a report on the methodology for monitoring and reporting the programme performance of the United Nations;

III

APPLICATION OF EVALUATION FINDINGS IN PROGRAMME DESIGN, DELIVERY AND POLICY DIRECTIVES

1. *Takes note* of the report of the Secretary-General on the application of evaluation findings in programme design, delivery and policy directives;[94]

2. *Endorses* the recommendations of the Committee for Programme and Co-ordination contained in its report on the work of its thirtieth session, on the report of the Secretary-General on the application of evaluation findings in programme design, delivery and policy directives and urges the Secretary-General to develop methods and procedures to ensure that evaluation is fully integrated into the programme planning cycle of the Organization;

IV

CO-ORDINATION

1. *Emphasizes* the importance of the plan, in particular its introduction, as an instrument for co-ordination, in accordance with regulation 3.7 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation;

2. *Invites* the Secretary-General to take the necessary measures in order to enhance the role of the Programme Planning and Budgeting Board in the co-ordination of the preparation and implementation of the plan;

3. *Stresses again* the need to ensure appropriate co-ordination of the calendar of meetings of the various intergovernmental review bodies, with a view to enabling them to consider effectively the relevant proposed programmes of the medium-term plan;

V

OTHER CONCLUSIONS AND RECOMMENDATIONS OF THE COMMITTEE FOR PROGRAMME AND CO-ORDINATION

Notes with satisfaction and endorses the conclusions and recommendations of the Committee for Programme and Co-ordination at its thirtieth session which have not otherwise been approved by the General Assembly at its forty-fifth session.

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ANNEX

Conclusions and recommendations on major programmes, programmes and subprogrammes of the medium-term plan for the period 1992-1997

Programme 1. Good offices and peace-making, peace-keeping, research and the collection of information

1. Recognizing that the Fifth Committee was not in a position to examine such substantive issues as peace-making, the General Assembly decides to defer consideration of those issues to the attention of the competent organs and intergovernmental bodies of the United Nations, without prejudice to the functions of the Secretary-General under the Charter of the United Nations.

2. In paragraph 1.17, insert a reference to paragraph 7 of General Assembly resolution 44/164 of 15 December 1989.

3. Insert references to General Assembly resolutions 41/70 of 3 December 1986 and 44/164 as mandates under programmes 35, 36 and 37.

Programme 2. Political and Security Council affairs

1. Assign high priority to subprogramme 1, Security Council and political committees activities.

2. Modify the text of paragraph 2.11 (*b*) concerning political missions so as to make its meaning clearer.

Programme 7. Disarmament

1. The third sentence of paragraph 7.5 should read:

> Anxieties were fuelled by the ever-rising number of nuclear warheads and delivery systems, by several other factors, including technological advances in weapons design, and by increasing arms transfers.

2. In the fourth sentence of paragraph 7.8, *for* to discourage the proliferation of ballistic missiles *read* to achieve the objective of non-proliferation in all its aspects, as mentioned in the Declaration of the 1990s as the Third Disarmament Decade.

3. In the sixth sentence of paragraph 7.8, *for* with an emphasis being given to *read* including.

Programme 8. Peaceful uses of outer space

At the end of the second sentence of paragraph 8.9, *insert* taking into account the concerns of all countries, in particular the developing countries.

Programme 9. International law

1. In the second sentence of paragraph 9.33, *after* drug-trafficking *insert* and drug-abuse.

2. Not applicable to English.

3. The last sentence of paragraph 9.39 should read:

> It is also foreseen that the issues arising from the question of international criminal jurisdiction, including the possibility of establishing an international criminal court or other international criminal trial mechanism, will be considered further and analysed.

4. Insert the proposals of the Sixth Committee.[95]

Programme 11. Overall issues and policies, including co-ordination

1. Insert a reference to General Assembly resolution 44/215 of 22 December 1989 as a mandate for subprogramme 1.

2. Not applicable to English.

3. In line 3 of paragraph 11.18 (*b*), *for* alleviation *read* eradication.

Major programme IV. International economic co-operation for development (programmes 12-24)

The idea of the interrelationship between international peace and security and development, implied in the proposal to change the title of the major programme to read "Maintenance of peace and security and international economic co-operation for development", should be developed further in the context of the revisions to the plan.

Programme 12. Global development issues and policies

1. Assign high priority to subprogrammes 3 and 6 of programme 12 in addition to those proposed by the Secretary-General.

2. Redraft the narrative of the programme so as to reflect the language and ideas of General Assembly resolution 44/212 of 22 December 1989, where relevant.

3. In the second sentence of paragraph 12.4, delete:

> and brought especially acute problems for heavily indebted developing countries

and replace by:

> This placed most of the developing countries, especially the least developed countries, in a particularly grave situation and brought especially acute problems for heavily indebted developing countries.

4. In paragraph 12.23:

(*a*) At the end of the fifth sentence *insert* and to promote economic development;

(*b*) At the beginning of the sixth sentence, *for* growth-oriented adjustment *read* growth-oriented policy.

5. Replace the first sentence of paragraph 12.36 with the text of paragraph 31 of the Declaration contained in the annex to General Assembly resolution S-18/3 of 1 May 1990.

6. In programme 12, where appropriate, *insert* some other countries with serious debt-servicing problems.

7. At the end of the second sentence of paragraph 12.65, *after* management *insert* and desertification.

Programme 13. International trade

Assign high priority to subprogramme 4, transfer of technology, in accordance with the importance given to the question by the General Assembly at its eighteenth special session.

Programme 14. Development finance, resource flows and external debt

1. In paragraph 14.11, insert a reference to General Assembly resolution S-18/3.

2. Delete the modification to paragraph 14.15 recommended by the Committee for Programme and Co-ordination in paragraph 166 (*c*) of its report.[96]

Programme 16. Environment

1. Delete the second sentence of paragraph 16.17.

2. Delete subprogramme 9 and incorporate its content in subprogrammes 10 and 12 of programme 16.

Programmes 19 and 20. Natural resources and energy

Adjust the narrative of programmes 19 and 20 in accordance with the recommendations of the Committee for Programme and Co-ordination.

Programme 21. Public administration and finance

Reformulate the narrative of programme 21, taking into account all the relevant mandates adopted until the forty-fourth session of the General Assembly, for submission to the Assembly at its forty-sixth session.

Major programme V. International co-operation for social development (programmes 25-29)

The idea of the interrelationship between international peace and security and development, implied in the proposal to change the title of the major programme to read "Maintenance of peace and security and international co-operation for social development", should be developed further in the context of the revisions to the plan.

Programme 29. Crime prevention and criminal justice

1. Redraft paragraph 29.18 so as to reflect the language of the pertinent paragraph of the report of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders calling for a study on the establishment of an international criminal court.[97]

2. Insert in paragraph 29.20 a reference to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

Programme 31. Regional co-operation for development in Asia and the Pacific

The Economic and Social Commission for Asia and the Pacific should reconsider the issue of priority-setting among subprogrammes of programme 31 in the light of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation.

Programme 33. Regional co-operation for development in Latin America and the Caribbean

Delete the second sentence of paragraph 33.5.

Programme 35. Promotion and protection of human rights

1. In line 2 of paragraph 35.2, *after* instruments *insert* such as, *inter alia*, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

2. In paragraph 35.3, delete the last two sentences.

3. (*a*) Insert a new paragraph 35.4 reading:

> 35.4 The full enjoyment of human rights is related to economic and social development. Moreover, there can be no lasting security or sustained economic and social progress without respect for human rights. Numerous situations of tension and conflict have been rooted in disregard for the human rights of individuals, minorities, groups or entire peoples. Development will not be assured,

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[95] A/C.5/45/42, annex III.

[96] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 16* (A/45/16), part one.

[97] A/CONF.144/28, chap. I, sect. C, resolution 25, annex, para. 31.

nor its fruits equitably shared, if it is not securely anchored in respect for human rights and fundamental freedoms.

(*b*) Renumber the subsequent paragraphs accordingly.

4. Divide former paragraph 35.24 into three subparagraphs dealing respectively with:

(*a*) Migrant workers;

(*b*) Minorities;

(*c*) Discrimination or intolerance based on religion or belief.

5. At the end of the first line of former paragraph 35.41, *after* realization of *insert* the right of people to self-determination and.

45/254. Review of the efficiency of the administrative and financial functioning of the United Nations

A

The General Assembly,

Recalling its resolution 41/213 of 19 December 1986 on the review of the efficiency of the administrative and financial functioning of the United Nations and its resolutions 42/211 of 21 December 1987, 43/213 of 21 December 1988 and 44/200 of 21 December 1989 on the implementation of General Assembly resolution 41/213,

Reaffirming that measures to improve the efficiency of the administrative and financial functioning of the United Nations and to improve the planning, programming and budgeting process should aim at and contribute to strengthening the effectiveness of the Organization in dealing with political, economic and social issues in order better to achieve the purposes of and respect for the principles set out in the Charter of the United Nations,

Having considered the reports of the Secretary-General,[98] the report of the Committee for Programme and Co-ordination[96] and the report of the Advisory Committee on Administrative and Budgetary Questions,[92]

Recognizing that the reform measures undertaken so far in accordance with resolution 41/213 have contributed to improving the efficiency of the Organization in certain areas,

Recognizing also that the involvement of Member States in the new planning, programming and budgeting process has facilitated a broader agreement of Member States on the programme budget of the United Nations,

Noting that, while having somewhat improved, the financial situation of the Organization remains uncertain,

1. *Takes note with appreciation* of the analytical report of the Secretary-General on the implementation of General Assembly resolution 41/213;[30]

2. *Endorses* the relevant conclusions and recommendations of the Committee for Programme and Co-ordination and of the Advisory Committee on Administrative and Budgetary Questions;

3. *Renews its appeal* to all Member States to demonstrate their commitment to the United Nations by, *inter alia,* meeting their financial obligations on time and in full in accordance with the Charter of the United Nations and the Financial Regulations of the United Nations;

4. *Emphasizes* that the strengthening of the effectiveness of the Organization is a continuing process requiring the joint efforts of Member States and the Secretariat;

5. *Stresses* that measures for the improvement of the effectiveness of the Organization should aim at the fulfilment of all its objectives;

6. *Reiterates* its support for the Secretary-General in the fulfilment of his responsibility as chief administrative officer;

7. *Recognizes* the importance of the new budget process for the enhancement of the effectiveness of the Organization;

8. *Encourages* the Secretary-General and Member States to pursue the objectives of resolution 41/213, particularly those that have yet to be met, and invites the Secretary-General to consolidate and build upon the results achieved through the reform process and to submit proposals, whenever necessary, for improvements in the administrative and financial functioning of the Organization, in order to enable it to fulfil more effectively its role;

9. *Encourages* the Secretary-General to continue to implement the provisions of resolution 41/213 and other relevant resolutions on questions of personnel and posts in the Organization, particularly those that have yet to be implemented, and invites Member States and the Secretary-General to exercise maximum restraint in their proposals for the staffing table of the Organization, particularly for high-level posts;

10. *Stresses* that the relationship between posts and programmes funded from the regular budget and those funded from extrabudgetary resources requires further analysis and consideration;

11. *Invites* the Secretary-General to ensure greater transparency in the management and use of the extrabudgetary resources made available to the Organization in order, in particular, to assess more precisely the impact of those resources on the activities, programmes and priorities of the Organization;

12. *Requests* the Secretary-General to submit to the General Assembly at its forty-sixth session a report on all aspects of the role and use of extrabudgetary resources, as outlined by the Advisory Committee on Administrative and Budgetary Questions in its report to the Assembly at its forty-fourth session,[99]

13. *Encourages* the intention of the Secretariat to develop management and work-load analysis techniques and invites the Secretary-General to take into account the results of such techniques in the course of his preparation of proposed programme budgets in order to ensure the full and effective implementation of all programmes and activities of the United Nations;

14. *Reiterates* the importance of a comprehensive solution to the problem of all additional expenditures,

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[98] A/45/226 and A/45/370.

[99] *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 7A* (A/44/7/Add.1-8), document A/44/7/Add.7.

including those deriving from inflation and currency fluctuation;

15. *Reiterates also* the importance of the review of the procedures for the provision of statements of programme budget implications and for the use and operation of the contingency fund, and recalls that it will consider a single report on these questions at its forty-sixth session;

16. *Calls upon* Member States to provide the conditions for the effective functioning of the Organization, in particular through the fulfilment of their financial obligations as set out in the Charter, in order to sustain the desirable effects of the process of reform and renewal;

17. *Decides* to continue considering annually the administrative, structural and other aspects of the improvement of the efficiency of the Organization, and invites the Secretary-General to report accordingly.

72nd plenary meeting
21 December 1990

B

The General Assembly,

Reiterating the importance of co-ordination as a policy instrument in improving the performance of the organizations of the United Nations system, ensuring complementarity of efforts and increasing cost-effectiveness,

Stressing again the need to strengthen the role of Member States in the relevant intergovernmental bodies of the United Nations system and of the Secretary-General with respect to system-wide co-ordination,

1. *Endorses* the relevant conclusions and recommendations of the Committee for Programme and Co-ordination in the field of co-ordination;

2. *Endorses also* the conclusions and recommendations contained in the report on the joint meetings of the Administrative Committee on Co-ordination and the Committee for Programme and Co-ordination;[100]

3. *Requests* the Secretary-General to include in the annual overview report of the Administrative Committee on Co-ordination a section on the measures taken or envisaged to implement the conclusions and recommendations of the Committee for Programme and Co-ordination and of the joint meetings of the two Committees;

4. *Reiterates its request* to the Secretary-General to make available to the General Assembly, at its forty-sixth session, the annual overview report of the Administrative Committee on Co-ordination, together with the relevant conclusions and recommendations of the Committee for Programme and Co-ordination and of the Economic and Social Council on that report.

72nd plenary meeting
21 December 1990

C

The General Assembly

Takes note of the report of the Secretary-General on the status of technological innovations in the United Nations,[101] and requests that an updated version of that report be submitted in the context of the proposed programme budget for the biennium 1992-1993.

72nd plenary meeting
21 December 1990

45/255. Proposed programme budget outline for the biennium 1992-1993

The General Assembly,

Recalling its resolution 41/213 of 19 December 1986, by which, *inter alia,* it requested the Secretary-General to submit in off-budget years an outline of the programme budget for the following biennium,

Recalling also its resolution 43/214 of 21 December 1988 on the proposed programme budget outline for the biennium 1990-1991 and use and operation of the contingency fund,

Having considered the report of the Secretary-General,[102] the relevant parts of the report of the Committee for Programme and Co-ordination[103] and the report of the Advisory Committee on Administrative and Budgetary Questions,[104]

1. *Reaffirms* that the proposed programme budget outline, being a part of the new budget process, is in a developmental period, that its methodology requires greater improvements, transparency and accuracy and that the whole exercise should be applied with flexibility, in accordance with resolution 41/213 and resolution 42/211 of 21 December 1987;

2. *Endorses* the conclusions and recommendations of the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions, and notes the intention of the Advisory Committee to study further the methodology of the outline;

3. *Invites* the Secretary-General to prepare the proposed programme budget for the biennium 1992-1993 on the basis of the total preliminary estimate provided by the Advisory Committee of 2,006,200,000 United States dollars at the initial 1990-1991 rates indicated in the report of the Secretary-General,[102] to be adjusted at 1992-1993 rates;

4. *Decides* that the contingency fund of the programme budget for the biennium 1992-1993 shall provisionally be established at a level of 0.75 per cent of the preliminary estimate at 1992-1993 rates (or 2,462,400,000 dollars at the 1992-1993 rates indicated by the Advisory Committee), i.e. 19 million dollars, and recalls that the level and mode of operation of the contingency fund shall be reviewed by the General Assem-

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[100] See A/45/835.

[101] A/45/478.

[102] A/45/369.

[103] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 16* (A/45/16), part two.

[104] A/45/878.

bly at its forty-sixth session in accordance with paragraph 4 of its resolution 44/200 B of 21 December 1989;

5. *Takes note* of the proposals of the Secretary-General and the views expressed by Member States on priorities, and endorses the recommendations of the Committee for Programme and Co-ordination thereon, and requests the Secretary-General to pay particular attention to them in preparing the proposed programme budget for the biennium 1992-1993;

6. *Recognizes* that the outline should provide a greater level of predictability of resources required for the following biennium, while ensuring that such resources are adequate for the fulfilment of the objectives, programmes and activities of the Organization, as mandated by the relevant legislative bodies of the United Nations, thereby facilitating the widest possible agreement on the programme budget;

7. *Takes note* of the rate of real growth, compared with the previous budget, indicated by the Secretary-General in his report, and stresses that the methodology for the preparation of the outline and the programme budget should be revised, taking into account the views of the Committee for Programme and Co-ordination and the Advisory Committee as well as the need for increased transparency in the methodology used to reflect inflation and currency fluctuations;

8. *Requests* the Secretary-General to submit the proposed programme budget for the biennium 1992-1993 in accordance with the present resolution and all resolutions and decisions of the General Assembly pertinent to the new budgetary process.

72nd plenary meeting
21 December 1990

45/256. Scale of assessments for the apportionment of the expenses of the United Nations

A

The General Assembly,

Recalling all its previous resolutions on the scale of assessments, in particular resolutions 43/223 B of 21 December 1988 and 44/197 A of 21 December 1989,

Having considered the report of the Committee on Contributions,[105]

Taking note of the views expressed in the Fifth Committee during the forty-fifth session,[106]

Bearing in mind the difficult economic situation faced by many Member States, in particular the developing countries and among them the least developed countries,

1. *Reaffirms* that:

(*a*) The capacity of Member States to pay is the fundamental criterion for determining the scale of assessments;

(*b*) The scale of assessments should be determined on the basis of reliable, verifiable and comparable data;

(*c*) The methodology for determining the scale of assessments should be simplified as far as possible with a view to making it more transparent and stable over time;

2. *Requests* the Committee on Contributions to recommend to the General Assembly at its forty-sixth session a scale of assessments whose period of applicability will then be decided by the Assembly and which is prepared on the basis of the recommendations of the Committee contained in its report,[105] taking into account the following:

(*a*) The debt adjustment approach used in the preparation of the scale of assessments for the period 1989-1991;

(*b*) A low per capita income allowance formula, taking into account the recommendations of the Committee, adjusted in accordance with the evolution of the average world per capita income until 1989;

(*c*) Individual rates for the least developed countries should not exceed their present level, namely 0.01 per cent;

3. *Also requests* the Committee on Contributions to use the criteria specified in paragraph 42 of its report for the *ad hoc* adjustment of the machine scale and to provide detailed information on the decisions made in this regard; it is recognized that the *ad hoc* adjustment process depends on the availability of points provided voluntarily by Member States;

4. *Further requests* the Committee on Contributions to continue its work on the improvement of the methodology for the preparation of future scales of assessment, in particular with regard to:

(*a*) The scheme of limits, with a view to reducing speedily any of its excessive distorting effects;

(*b*) The possible modification of the statistical base period;

(*c*) The possibility of excluding the allocation of any additional points, as a result of the application of the scheme of limits, to those Member States having a very low per capita income;

(*d*) The application of debt-adjusted income as recommended by the Committee in its report and the debt adjustment factor and taking into account the views expressed during the forty-fifth session of the General Assembly;

(*e*) The application of price-adjusted rates of exchange;

(*f*) Alternative income concepts;

(*g*) The possible use of factors that take account of the situation of countries with economic characteristics such as those outlined in paragraph 3 of Assembly resolution 43/223 B;

(*h*) The relationship of each of the elements and factors as part of the overall methodology;

5. *Requests* the Committee on Contributions to submit to the General Assembly at its forty-sixth session a report on the work undertaken in response to the requests contained in paragraph 4 of the present resolution;

6. *Requests* the Secretary-General to provide the Committee on Contributions with the facilities it re-

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[105] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 11* (A/45/11).

[106] *Ibid., Forty-fifth Session, Fifth Committee*, 3rd to 5th, 7th to 9th, 12th, 13th, 15th and 52nd meetings, and corrigendum.

quires to carry out its work, including supplementary assistance if necessary.

72nd plenary meeting
21 December 1990

B

The General Assembly

Resolves that:

1. The rates of assessment for the following States, admitted to membership in the United Nations on 23 April and 18 September 1990, respectively, shall be as follows:

Member State	*Per cent*
Namibia	0.01
Liechtenstein	0.01

For 1990 and 1991, these rates shall be added to the scale of assessments established under General Assembly resolution 43/223 A of 21 December 1988;

2. For the year of their admission, Namibia shall contribute at the rate of one fourth of 0.01 per cent and Liechtenstein at the rate of one ninth of 0.01 per cent, such contributions to be taken into account as miscellaneous income under regulation 5.2 (*c*) of the Financial Regulations of the United Nations. Liechtenstein's contribution shall be adjusted by one ninth of the flat fee paid for its participation in United Nations activities as a non-Member State;

3. For the year 1991, Namibia and Liechtenstein shall each contribute at the rate of 0.01 per cent, such contribution by Liechtenstein also to be taken into account as miscellaneous income under regulation 5.2 (*c*) of the Financial Regulations of the United Nations;

4. The contributions of Namibia and Liechtenstein for 1990 and 1991 shall be applied to the same basis of assessment as for other Member States, except that, in the case of appropriations or apportionments approved by the General Assembly for the financing of peacekeeping operations, the contributions of those States, as determined by the group of contributors to which they may be assigned by the Assembly, shall be calculated in proportion to the calendar year;

5. The advances of Namibia and Liechtenstein to the Working Capital Fund, under regulation 5.8 of the Financial Regulations of the United Nations, shall be calculated by the application of the rates of assessment of 0.01 per cent each to the authorized level of the Fund, such advances to be added to the Fund pending the incorporation of the new Members' rates of assessment in a 100 per cent scale;

6. Yemen, having been formed when the People's Democratic Republic of Yemen and the Yemen Arab Republic merged on 22 May 1990, shall contribute at the rate of 0.02 per cent for 1990 and 0.01 per cent for 1991 with a corresponding reduction in the State's advance to the Working Capital Fund;

7. Following the accession of the German Democratic Republic to the Federal Republic of Germany on 3 October 1990, and in compliance with the current scale methodology and based on the statistical and economic data available for the Federal Republic of Germany and the German Democratic Republic, Germany shall contribute at the rate of 9.36 per cent for 1991.

72nd plenary meeting
21 December 1990

C

The General Assembly,

Recalling rule 160 of the rules of procedure of the General Assembly,

Requests the Committee on Contributions to hold in 1991, on an experimental basis, one or two information meetings, in a manner to be decided by the Committee, prior to executing the *ad hoc* adjustment of the machine scale, so as to give Member States the opportunity to provide the Committee with additional information as deemed necessary for the purpose of making the *ad hoc* adjustments.

72nd plenary meeting
21 December 1990

IX. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE[1]

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[1] For the decisions adopted on the reports of the Sixth Committee, see sect. X.B.8.

45/37. Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States

The General Assembly,

Recalling its resolutions 35/167 of 15 December 1980, 37/104 of 16 December 1982, 39/76 of 13 December 1984, 41/71 of 3 December 1986 and 43/160 B of 9 December 1988,

Recalling also its resolutions 3237 (XXIX) of 22 November 1974 and 3280 (XXIX) of 10 December 1974,

Taking note of the report of the Secretary-General,[2]

Bearing in mind the resolution of the United Nations Conference on the Representation of States in Their Relations with International Organizations relating to the observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States,[3]

Noting that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, of 14 March 1975,[4] regulates only the representation of States in their relations with international organizations,

Taking into account the current practice of inviting the above-mentioned national liberation movements to participate as observers in the sessions of the General Assembly, specialized agencies and other organizations of the United Nations system and in the work of the conferences held under the auspices of such international organizations,

Convinced that the participation of the national liberation movements referred to above in the work of international organizations helps to strengthen international peace and co-operation,

Desirous of ensuring the effective participation of the above-mentioned national liberation movements as observers in the work of international organizations and of regulating, to that end, their status and the facilities, privileges and immunities necessary for the performance of their functions,

Noting that many States have recognized those national liberation movements and have granted them facilities, privileges and immunities in their countries,

1. *Urges* all States that have not done so, in particular those which are host to international organizations

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[2] A/45/438.

[3] See *Official Records of the United Nations Conference on the Representation of States in Their Relations with International Organizations, Vienna, 4 February-14 March 1975*, vol. II (United Nations publication, Sales No. E.75.V.12), document A/CONF.67/15, annex.

[4] *Ibid.*, vol. II, p. 207.

or to conferences convened by, or held under the auspices of, international organizations of a universal character, to consider as soon as possible the question of ratifying, or acceding to, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

2. *Calls once more upon* the States concerned to accord to the delegations of the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States and accorded observer status by international organizations, the facilities, privileges and immunities necessary for the performance of their functions, in accordance with the provisions of the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character;

3. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

48th plenary meeting
28 November 1990

45/38. Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

The General Assembly,

Recalling its resolutions 32/44 of 8 December 1977, 34/51 of 23 November 1979, 37/116 of 16 December 1982, 39/77 of 13 December 1984, 41/72 of 3 December 1986 and 43/161 of 9 December 1988,

Having considered the report of the Secretary-General[5] on the status of the Protocols[6] Additional to the Geneva Conventions of 1949[7] and relating to the protection of victims of armed conflicts,

Convinced of the continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for these rules in all circumstances within the scope of the relevant international instruments, pending the earliest possible termination of such conflicts,

Stressing the need for consolidating and implementing the existing body of international humanitarian law and for the universal acceptance of such law,

Mindful of the role of the International Committee of the Red Cross in offering protection to the victims of armed conflicts,

Noting with appreciation the continuing efforts of the International Committee of the Red Cross to promote and to disseminate knowledge of the two additional Protocols,

1. *Appreciates* the virtually universal acceptance of the Geneva Conventions of 1949 and the increasingly wide acceptance of the two additional Protocols of 1977;

2. *Notes,* however, the fact that, in comparison with the Geneva Conventions, the number of States parties to the two additional Protocols is still limited;

3. *Appeals* to all States parties to the Geneva Conventions of 1949 that have not yet done so to consider becoming parties also to the additional Protocols at the earliest possible date;

4. *Calls upon* all States becoming Parties to Protocol I to consider making the declaration provided for under article 90 of that Protocol;

5. *Requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the status of the additional Protocols based on information received from Member States;

6. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

48th plenary meeting
28 November 1990

45/39. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

Having considered the report of the Secretary-General,[8]

Conscious of the need to develop and strengthen friendly relations and co-operation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

Alarmed by the repeated acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

Recalling Security Council resolutions 664 (1990) of 18 August 1990, 667 (1990) of 16 September 1990 and 674 (1990) of 29 October 1990 regarding, *inter alia,* certain recent flagrant violations of international law concerning the protection, security and safety of diplomatic and consular missions and representatives,

Mindful of the universal condemnation of those violations during the debate on the question in the Sixth Committee at the forty-fifth session of the General Assembly,[9]

Concerned at the abuse of diplomatic or consular privileges and immunities, particularly if acts of violence are involved,

Emphasizing the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

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[5] A/45/454.

[6] United Nations, *Treaty Series,* vol. 1125, Nos. 17512 and 17513.

[7] *Ibid.,* vol. 75, Nos. 970-973.

[8] A/45/455 and Add.1-3.

[9] See *Official Records of the General Assembly, Forty-fifth Session, Sixth Committee,* 5th to 7th and 45th meetings, and corrigendum.

Welcoming measures already taken by States to this end in conformity with their international obligations,

Convinced that the role of the United Nations, which includes the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in later Assembly resolutions, is important in promoting efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

Reaffirming its resolution 43/167 of 9 December 1988,

1. *Takes note* of the report of the Secretary-General;

2. *Strongly condemns* acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified;

3. *Calls* for the immediate cessation of continuing violations of the protection, security and safety of diplomatic and consular missions and representatives and for respect of the right of free passage of diplomatic and consular personnel coming from or returning to the sending State;

4. *Urges* States to observe, implement and enforce the principles and rules of international law governing diplomatic and consular relations and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of the missions, representatives and officials mentioned in paragraph 2 above officially present in territories under their jurisdiction, including practical measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions, representatives and officials;

5. *Also urges* States to take all necessary measures at the national and international levels to prevent any acts of violence against the missions, representatives and officials mentioned in paragraph 2 above and to bring offenders to justice;

6. *Recommends* that States should co-operate closely through, *inter alia,* contacts between the diplomatic and consular missions and the receiving State, with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to the exchange of information on the circumstances of all serious violations thereof;

7. *Calls upon* States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

8. *Also calls upon* States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of the missions or the security of the representatives and officials mentioned in paragraph 2 above, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;

9. *Requests* all States to report to the Secretary-General in accordance with paragraph 9 of resolution 42/154 of 7 December 1987;

10. *Requests* the Secretary-General to issue a report on the item, in accordance with paragraph 12 of resolution 42/154, containing also an analytical summary of the reports received under paragraph 9 above, on an annual basis, as well as to proceed with his other tasks pursuant to the same resolution;

11. *Decides* to include in the provisional agenda of its forty-seventh session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives".

48th plenary meeting
28 November 1990

45/40. United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989 by which it declared the period 1990-1999 the United Nations Decade of International Law,

Recalling also that the main purposes of the Decade, according to resolution 44/23, should be, *inter alia:*

(*a*) To promote acceptance of and respect for the principles of international law;

(*b*) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice;

(*c*) To encourage the progressive development of international law and its codification;

(*d*) To encourage the teaching, study, dissemination and wider appreciation of international law;

Recalling further that it decided to consider the question of the programme for the Decade and of appropriate action to be taken during the Decade at its forty-fifth session,

Expressing its appreciation for the Secretary-General's report on the United Nations Decade of International Law,[10] submitted pursuant to resolution 44/23,

Noting that the Sixth Committee established the Working Group on the United Nations Decade of International Law with a view to preparing generally acceptable recommendations for the Decade,

Having considered the report of the Sixth Committee submitted to that end,[11]

1. *Expresses its appreciation* to the Sixth Committee for the elaboration, within the framework of its Working Group, of the programme for the activities to be commenced during the first term (1990-1992) of the United Nations Decade of International Law, and requests the Working Group to continue its work at the forty-sixth session in accordance with its mandate and methods of work;

2. *Adopts* the programme for the activities to be commenced during the first term (1990-1992) of the

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[10] A/45/430 and Corr.1 and Add.1-3.

[11] See A/C.6/45/L.5.

Decade as an integral part of the present resolution, to which it is annexed;

3. *Expresses its appreciation* to States and international organizations for taking the initiative to sponsor conferences on various subjects of international law;

4. *Invites* all international organizations and institutions referred to in the programme to undertake the relevant activities outlined therein and, as appropriate, to submit to the Secretary-General interim or final reports for transmission to the General Assembly at the forty-sixth session or, at the latest, the forty-seventh session;

5. *Requests* the Secretary-General to submit a progress report to the General Assembly at its forty-sixth session on the implementation of the programme;

6. *Appeals* to States, international organizations and non-governmental organizations working in this field and to the private sector to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

7. *Requests* the Secretary-General to bring the present resolution to the attention of States and appropriate international bodies, as well as non-governmental organizations working in the field;

8. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "United Nations Decade of International Law".

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ANNEX

Programme for the activities to be commenced during the first term (1990-1992) of the United Nations Decade of International Law

I. PROMOTION OF THE ACCEPTANCE OF AND RESPECT FOR THE PRINCIPLES OF INTERNATIONAL LAW

1. The General Assembly, bearing in mind that maintenance of international peace and security is the underlying condition for the success of the implementation of the programme of the United Nations Decade of International Law, calls upon States to act in accordance with international law, and particularly the Charter of the United Nations.

2. States are invited to consider, if they have not yet done so, becoming parties to existing multilateral treaties, in particular those relevant to the progressive development of international law and its codification. International organizations under whose auspices such treaties are concluded are invited to indicate whether they publish periodic reports on the status of ratifications of and accessions to multilateral treaties and, if they do not, to indicate whether in their view such a process would be useful. Consideration should be given to the question of treaties which have not achieved wider participation or entered into force after a considerable lapse of time and the circumstances causing the situation.

3. States and international organizations are encouraged to provide assistance and technical advice to States, in particular to developing countries, to facilitate their participation in the process of multilateral treaty-making, including their adherence to and implementation of such multilateral treaties.

4. States are encouraged to report to the Secretary-General on ways and means, as provided for by the multilateral treaties to which they are parties, regarding the implementation of such treaties. The Secretary-General is requested to prepare a report on the basis of this information and to submit it to the General Assembly.

II. PROMOTION OF MEANS AND METHODS FOR THE PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES, INCLUDING RESORT TO AND FULL RESPECT FOR THE INTERNATIONAL COURT OF JUSTICE

1. The United Nations system of organizations and regional organizations, including the Asian-African Legal Consultative Committee, as well as the International Law Association, the Institute of International Law, the Hispano-Luso-American Institute of International Law and other international institutions working in the field of international law, and national societies of international law, are invited to study the means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice, and to present suggestions for the promotion thereof to the Sixth Committee.

2. States are invited to make proposals to the Sixth Committee in respect of the promotion of means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice.

3. The Sixth Committee is requested to consider, taking into account the above-mentioned suggestions and proposals, and, where appropriate, on the basis of a report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, or of the Working Group on the United Nations Decade of International Law, the following questions:

(*a*) Strengthening the use of means and methods for the peaceful settlement of disputes, with particular attention to the role to be played by the United Nations, as well as methods for early identification and prevention of disputes and their containment;

(*b*) Procedures for the peaceful settlement of disputes arising in specific areas of international law;

(*c*) Ways and means of encouraging greater recognition of the role of the International Court of Justice and its wider use in the peaceful settlement of disputes;

(*d*) Enhancement of co-operation of regional organizations with the United Nations system of organizations in respect of the peaceful settlement of disputes.

III. ENCOURAGEMENT OF THE PROGRESSIVE DEVELOPMENT OF INTERNATIONAL LAW AND ITS CODIFICATION

1. International organizations, including the United Nations system of organizations and regional organizations, are invited to submit to the Secretary-General of the United Nations summary information regarding the programmes and results of their work relevant to the progressive development of international law and its codification, including their suggestions for future work in their specialized field, with an indication of the appropriate forum to undertake such work. Similarly, the Secretary-General is requested to prepare a report on the relevant activities of the United Nations, including those of the International Law Commission. Such information should be presented in a report by the Secretary-General to the Sixth Committee.

2. On the basis of the information mentioned in paragraph 1 of the present section, States are invited to submit suggestions for consideration by the Sixth Committee and, as appropriate, recommendation. In particular, efforts should be made to identify areas of international law which might be ripe for progressive development or codification.

3. The Sixth Committee is requested to study, taking into account General Assembly resolution 684 (VII) of 6 November 1952, its coordinating role with respect to, *inter alia,* the drafting of provisions of a legal nature and the consistent use of legal terminology in international instruments adopted by the General Assembly.

4. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization is requested to continue studying possible measures to strengthen the United Nations system for the maintenance of international peace and security. States, particularly those that proposed the inclusion of this question in the programme for the Decade, are invited to present draft texts to the Secretary-General or the Special Committee for consideration.

IV. ENCOURAGEMENT OF THE TEACHING, STUDY, DISSEMINATION AND WIDER APPRECIATION OF INTERNATIONAL LAW

1. The Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law is requested, in the context of the Decade, to formulate relevant guidelines for the Programme's activities and to report to the Sixth Committee on the activities carried out under the Programme in accordance with such guidelines. Special emphasis should be given to supporting academic and professional institutions already carrying out research and education in international law, as well as to encouraging the establishment of such institutions where they might not exist, particularly in the developing countries.

States are encouraged to contribute to the strengthening of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

2. States should encourage their educational institutions to introduce courses in international law for students studying law, political science, social sciences and other relevant disciplines; they should study the possibility of introducing topics of international law in the curricula of schools at the primary and secondary levels. Co-operation between institutions at the university level amongst developing countries, on the one hand, and their co-operation with those of developed countries on the other, should be encouraged.

3. States should consider convening conferences of experts at the national and regional levels in order to study the question of preparing model curricula and materials for courses in international law, training of teachers in international law, preparation of textbooks on international law and the use of modern technology to facilitate the teaching of and research in international law.

4. The United Nations system of organizations, regional organizations and States should consider organizing seminars, symposia, training courses, lectures and meetings and undertaking studies on various aspects of international law. States and regional organizations have already expressed their readiness to undertake such activities on the following subjects: developing countries and international law (China); developing countries and international legislation on the environment (China); law of the sea (Yugoslavia); joint ventures in deep sea-bed mining (Asian-African Legal Consultative Committee); and promotion of the ratification of the United Nations conventions on refugees (Asian-African Legal Consultative Committee).

5. States are encouraged to organize special training in international law for legal professionals, including judges, and personnel of ministries of foreign affairs and other relevant ministries. The United Nations Institute for Training and Research, the United Nations Educational, Scientific and Cultural Organization, the Hague Academy of International Law and regional organizations are invited to co-operate in this respect with States.

6. Co-operation among developing countries, as well as between developed and developing countries, in particular among those persons who are involved in the practice of international law, for exchanging experience and for mutual assistance in the field of international law, including assistance in providing textbooks and manuals of international law, is encouraged.

7. In order to make better known the practice of international law, States, regional and other international organizations should endeavour to publish, if they have not done so, summaries, repertories or yearbooks of their practice.

8. It would be conducive to the teaching and dissemination of international law if all judgments and advisory opinions of the International Court of Justice were available in all official languages of the United Nations. As envisaged in General Assembly resolution 44/28 of 4 December 1989 and bearing in mind the wishes expressed by States, the Sixth Committee will consider, at the forty-sixth session of the Assembly, the Secretary-General's report containing a study of alternative means of making the publications of the International Court of Justice available in all the other official languages in addition to French and English, within the existing overall level of appropriations and in a way which meets the concerns expressed by the Court. Such a study should also consider the possibility, within the existing overall level of appropriations, of compiling and publishing thematic and analytical summaries of the judgments and advisory opinions of the International Court of Justice.

9. Other international courts and tribunals, including the European Court of Human Rights and the Inter-American Court of Human Rights, are invited to disseminate more widely their judgements and advisory opinions, and to consider preparing thematic or analytical summaries thereof.

10. International organizations are requested to publish treaties concluded under their auspices, if they have not yet done so. Timely publication of the United Nations *Treaty Series* is encouraged and efforts directed towards adopting an electronic form of publication should be continued. Timely publication of the *United Nations Juridical Yearbook* is also encouraged.

V. PROCEDURES AND ORGANIZATIONAL ASPECTS

1. The Sixth Committee, working primarily through its Working Group and with the assistance of the Secretariat, will be the co-ordinating body of the programme for the United Nations Decade of International Law. The question of the use of an intra-sessional, intersessional or existing body to carry out specific activities of the programme may be considered by the General Assembly.

2. The Sixth Committee is requested to continue to prepare the programme of activities for the Decade.

3. All organizations and institutions referred to and invited to submit reports to the Secretary-General under sections I to IV above are requested to submit interim or final reports preferably at the forty-sixth session but not later than the forty-seventh session of the General Assembly.

4. States are encouraged to establish, as necessary, national, subregional and regional committees which may assist in the implementation of the programme for the Decade. Non-governmental organizations are encouraged to promote the purposes of the Decade within the fields of their activities, as appropriate.

5. It is recognized that, within the existing overall level of appropriations, adequate financing for the implementation of the programme for the Decade is necessary and should be provided. Voluntary contributions from Governments, international organizations and other sources, including the private sector, would be useful and are strongly encouraged. To this end, the establishment of a trust fund to be administered by the Secretary-General might be considered by the General Assembly.

45/41. Report of the International Law Commission on the work of its forty-second session

The General Assembly,

Having considered the report of the International Law Commission on the work of its forty-second session,[12]

Emphasizing the need for the progressive development of international law and its codification in order to make it a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations[13] and to give increased importance to its role in relations among States,

Noting with appreciation the work of the International Law Commission on the elaboration of the draft Code of Crimes against the Peace and Security of Mankind which could contribute to the strengthening of international peace and security,

Recognizing the importance of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission, and of enabling the Sixth Committee and the Commission further to enhance their contributions to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

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[12] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10* (A/45/10).

[13] Resolution 2625 (XXV), annex.

Taking note with appreciation of the section of the report of the International Law Commission concerning the question of the possible establishment of an international criminal jurisdiction[14] and noting the debate in the Sixth Committee pertaining to this topic,[15]

Considering that experience has demonstrated the usefulness of structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention on each of the main topics dealt with in the report, and that this process is facilitated when the Commission indicates specific issues on which expressions of views by Governments are of particular interest for the continuation of its work,

1. *Takes note* of the report of the International Law Commission on the work of its forty-second session;

2. *Requests* the International Law Commission to continue its work on the topics in its current programme, listed as items 3 to 8 in paragraph 9 of its report, taking into account the comments of Governments, whether in writing or expressed in the General Assembly, with a view to reaching at its forty-third session the goals indicated in paragraphs 537 to 542 of its report;

3. *Invites* the International Law Commission, as it continues its work on the elaboration of the draft Code of Crimes against the Peace and Security of Mankind, to consider further and analyse the issues raised in its report concerning the question of an international criminal jurisdiction, including the possibility of establishing an international criminal court or other international criminal trial mechanism;

4. *Expresses its appreciation* for the efforts of the International Law Commission to improve its procedures and methods of work, and to formulate proposals on its future programme of work;

5. *Requests* the International Law Commission:

(*a*) To consider further its methods of work in all their aspects, bearing in mind that the staggering of the consideration of some topics might contribute, *inter alia*, to a more effective consideration of its report in the Sixth Committee;

(*b*) To pay special attention to indicating in its annual report, for each topic, those specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest for the continuation of its work;

6. *Invites* the International Law Commission, when circumstances so warrant, to request a special rapporteur to attend the session of the General Assembly during the discussion of the topic for which that special rapporteur is responsible, and requests the Secretary-General to make the necessary arrangements within existing resources;

7. *Recommends* the continuation of efforts to improve the ways in which the report of the International Law Commission is considered in the Sixth Committee, with a view to providing effective guidance for the Commission in its work;

8. *Decides* that the Sixth Committee, in structuring its debate on the report of the International Law Commission at the forty-sixth session of the General Assembly, should continue to bear in mind the possibility of reserving time for informal exchanges of views on matters relating to the work of the Commission;

9. *Recommends* that the debate on the report of the International Law Commission at the forty-sixth session of the General Assembly commence on 28 October 1991;

10. *Takes note* of the comments of the International Law Commission on the question of the duration of its session, as presented in paragraph 552 of its report, and expresses the view that the requirements of the work for the progressive development of international law and its codification and the magnitude and complexity of the subjects on the agenda of the Commission make it desirable that the usual duration of its sessions be maintained;

11. *Also takes note* of the intention of the International Law Commission, expressed in paragraph 548 of its report, to allow for two weeks of concentrated work in its Drafting Committee at the beginning of the forty-third session of the Commission, and requests the Commission to report on the results of that arrangement;

12. *Reaffirms* its previous decisions concerning the increased role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the summary records and other documentation of the International Law Commission;

13. *Urges* Governments and, as appropriate, international organizations to respond in writing as fully and expeditiously as possible to the requests of the International Law Commission for comments, observations and replies to questionnaires and for materials on topics in its programme of work;

14. *Reaffirms its wish* that the International Law Commission continue to enhance its co-operation with intergovernmental legal bodies whose work is of interest for the progressive development of international law and its codification;

15. *Once again expresses the wish* that seminars will continue to be held in conjunction with the sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars, appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the seminars, and expresses the hope that every effort will continue to be made by the Secretary-General, within existing resources, to provide the seminars with adequate services, including interpretation, as required;

16. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the forty-fifth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate.

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[14] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 10* (A/45/10), chap. II, sect. C.

[15] *Ibid., Forty-fifth Session, Sixth Committee,* 23rd to 39th and 45th meetings, and corrigendum.

45/42. Report of the United Nations Commission on International Trade Law on the work of its twenty-third session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade, as well as its resolutions 43/166 of 9 December 1988 and 44/33 of 4 December 1989,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic co-operation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-third session,[16]

Mindful of the valuable contribution to be rendered by the United Nations Commission on International Trade Law within the framework of the United Nations Decade for International Law, particularly as regards the dissemination of international trade law,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its twenty-third session;

2. *Reaffirms* the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to co-ordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law and, in this connection, recommends that the Commission, through its secretariat, should continue to maintain close co-operation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

3. *Calls upon* the Commission to continue to take account of the relevant provisions of the resolutions concerning the new international economic order, as adopted by the General Assembly at its sixth[17] and seventh[18] special sessions;

4. *Reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor seminars and symposia, in particular those organized on a regional basis, to promote such training and assistance;

5. *Requests* the Secretary-General, in consultation with the Commission's secretariat, to prepare a report with a view to analysing possible ways by which assistance could be given to developing countries that are members of the Commission, in particular least developed countries, so that they may attend meetings of the Commission and its working groups, bearing in mind the arrangements that exist for United Nations bodies generally, pursuant to resolution 43/217, section IX, of 21 December 1988, and to submit it to the General Assembly at its forty-sixth session;

6. *Repeats its invitation* to those States which have not yet done so to consider signing, ratifying or acceding to the conventions elaborated under the auspices of the Commission.

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45/43. Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto

The General Assembly,

Recalling its resolution 44/36 of 4 December 1989, in which it noted that the International Law Commission, taking into account the written comments of Governments and views expressed in debates in the Assembly, had completed at its forty-first session the second reading of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and also had prepared a draft optional protocol on the status of the courier and the bag of special missions and a draft optional protocol on the status of the courier and the bag of international organizations of a universal character,[19]

1. *Expresses its satisfaction* at the useful informal consultations that were held during its forty-fifth session, pursuant to paragraph 2 of its resolution 44/36, to study the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and the draft optional protocols thereto, as well as the question of how to deal further with those draft instruments with a view to facilitating the reaching of a generally acceptable decision in the latter respect, and takes note of the oral report of the Chairman of the Sixth Committee on those consultations;[20]

2. *Decides* that those informal consultations will be resumed at its forty-sixth session;

3. *Also decides* to include in the provisional agenda of its forty-sixth session the item entitled "Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto".

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[16] *Ibid., Forty-fifth Session, Supplement No. 17* (A/45/17).

[17] Resolutions 3201 (S-VI) and 3202 (S-VI).

[18] Resolution 3362 (S-VII).

[19] *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 10* (A/44/10), chap. II.

[20] *Ibid., Forty-fifth Session, Sixth Committee*, 42nd meeting, and corrigendum.

45/44. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,[21]

Bearing in mind the reports of the Secretary-General on the work of the Organization submitted to the General Assembly at its thirty-seventh,[22] thirty-ninth,[23] fortieth,[24] forty-first,[25] forty-second,[26] forty-third,[27] forty-fourth[28] and forty-fifth sessions,[29] as well as the views and comments expressed on them by Member States,

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its session held in 1990,[30]

Expressing its satisfaction at the completion of the work on the draft document on rationalization of existing United Nations procedures,[31] adopted by the General Assembly at its present session,[32]

Mindful of the desirability of further work being done by the Special Committee in the field of the peaceful settlement of disputes between States,

Noting with appreciation the progress achieved in the elaboration of the draft handbook on the peaceful settlement of disputes between States,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;

2. *Decides* that the Special Committee will hold its next session from 4 to 22 February 1991;

3. *Requests* the Special Committee, at its session in 1991, in accordance with the provisions of paragraph 4 below:

(*a*) To accord priority to the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context:

(i) To endeavour to complete its consideration of the proposal on fact-finding by the United Nations in the field of the maintenance of international peace and security with a view to submitting its conclusions, in an appropriate form, to the General Assembly at its forty-sixth session;

(ii) To consider the proposals relating to the maintenance of international peace and security that were submitted to the Special Committee during its session in 1990, as well as those which might be submitted to it at its session in 1991;

(*b*) To continue its work on the question of the peaceful settlement of disputes between States and, in this context:

(i) To consider proposals relating to this question that might be submitted to the Special Committee;

(ii) To consider the final text of the draft handbook on the peaceful settlement of disputes between States with a view to recommending its publication to the General Assembly at its forty-sixth session;

4. *Also requests* the Special Committee to be mindful of the importance of reaching general agreement whenever that has significance for the outcome of its work;

5. *Decides* that the Special Committee shall accept the participation of observers of Member States in its meetings, including those of its working group;

6. *Requests* the Secretary-General to complete the work on the preparation of the draft handbook on the peaceful settlement of disputes between States, on the basis of the outline elaborated by the Special Committee and in the light of the views expressed in the course of the discussions in the Sixth Committee[33] and in the Special Committee, and to submit it, in its final form, to the Special Committee at its session in 1991;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at its forty-sixth session;

8. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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45/45. Rationalization of existing United Nations procedures

The General Assembly,

Recalling its resolution 44/37 of 4 December 1989,

Having considered the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its session held in 1990,[30]

Conscious of the need to discharge in the most efficient manner the functions incumbent upon it under the Charter of the United Nations,

1. *Approves* the conclusions of the Special Committee on the Charter of the United Nations and on the

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[21] Resolutions 31/28 of 29 November 1976, 32/45 of 8 December 1977, 33/94 of 16 December 1978, 34/147 of 17 December 1979, 35/164 of 15 December 1980, 36/122 of 11 December 1981, 37/114 of 16 December 1982, 38/141 of 19 December 1983, 39/88 of 13 December 1984, 40/78 of 11 December 1985, 41/83 of 3 December 1986, 42/157 of 7 December 1987, 43/170 of 9 December 1988 and 44/37 of 4 December 1989.

[22] *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1* (A/37/1).

[23] *Ibid., Thirty-ninth Session, Supplement No. 1* (A/39/1).

[24] *Ibid., Fortieth Session, Supplement No. 1* (A/40/1).

[25] *Ibid., Forty-first Session, Supplement No. 1* (A/41/1).

[26] *Ibid., Forty-second Session, Supplement No. 1* (A/42/1).

[27] *Ibid., Forty-third Session, Supplement No. 1* (A/43/1).

[28] *Ibid., Forty-fourth Session, Supplement No. 1* (A/44/1).

[29] *Ibid., Forty-fifth Session, Supplement No. 1* (A/45/1).

[30] *Ibid., Supplement No. 33* (A/45/33).

[31] *Ibid.*, para. 86.

[32] See resolution 45/45.

[33] See *Official Records of the General Assembly, Forty-fifth Session, Sixth Committee,* 10th to 17th and 34th meetings, and corrigendum.

Strengthening of the Role of the Organization as set forth in the annex to the present resolution;

2. *Decides* that the conclusions referred to in paragraph 1 above shall be reproduced as an annex to its rules of procedure.

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ANNEX

Conclusions of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization concerning the rationalization of existing United Nations procedures

1. Without prejudice to Article 18 of the Charter of the United Nations and with a view to facilitating the work of the United Nations, including, whenever possible, the adoption by the General Assembly of agreed texts of resolutions and decisions, informal consultations should be carried out with the widest possible participation of Member States.

2. When an electronic voting system is available for recording how votes were cast, a roll-call vote should as far as possible not be requested.

3. Before the end of each session of the General Assembly, the General Committee should, in the light of the experience it has acquired during that session, consider drawing up its observations on the organization of the work of the session, with a view to facilitating the organization of the work of future sessions of the Assembly.

4. The agenda of the General Assembly should be simplified by grouping or merging, to the extent possible, related items and, where it is appropriate for discussion of a particular item, by setting an interval of more than a year between the discussions on it. For this purpose, the Chairman of the Main Committee concerned or, as appropriate, the President of the Assembly, should undertake consultations with delegations.

5. The General Committee should consider, at the beginning of each session of the General Assembly, recommending that certain Main Committees should meet in sequential order, taking into account such matters as the number of meetings required for the consideration of the questions with which they are charged at that session, the organization of the work of the whole session and the problem of participation of smaller delegations.

6. In making recommendations as to how agenda items should be allocated to the Main Committees and to the plenary Assembly, the General Committee should ensure the best use of the expertise of the Committees.

7. When the General Assembly considers whether it needs to establish subsidiary organs, in accordance with Article 22 of the Charter, it should give careful consideration as to whether the subject-matter in question could be dealt with by existing organs, including its Main Committees and their working groups. Subsidiary organs should seek constantly to improve their procedures and methods of work in order to ensure effective consideration of questions allocated to them by the Assembly.

8. The dates and length of the sessions of bodies of the General Assembly that meet inter-sessionally should be determined as soon as possible by the Assembly, as appropriate, following advice from the Committee on Conferences, on the proposal of the Secretary-General. The Assembly should take account of the past experience, the state of current work in regard to the mandate given to the body in question and the need to avoid as far as possible overlapping meetings of bodies that deal with subject-matter of a similar nature.

9. Informal consultations about the work of bodies of the General Assembly that meet inter-sessionally should continue to be held in advance of the sessions of such bodies in order to facilitate the conduct of their sessions, especially as regards the composition of the bureau and the organization of work.

10. Resolutions should request observations from States or reports by the Secretary-General in so far as they are likely to facilitate the implementation of the resolutions or the continued examination of the question.

45/46. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[34]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations[35] and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[36] and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Welcoming the increased interest shown by Member States in participating in the work of the Committee,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 69 of its report;

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and expresses the hope that the host country will continue to take all measures necessary to prevent any interference with the functioning of missions;

3. *Expresses its appreciation* for the efforts made by the host country and hopes that outstanding problems raised at the meetings of the Committee will be duly resolved in a spirit of co-operation and in accordance with international law;

4. *Urges* the host country, in the light of the consideration by the Committee of travel regulations issued by the host country, to continue to bear in mind its obligations to facilitate the functioning of the United Nations and the missions accredited to it;

5. *Stresses* the importance of a positive perception of the work of the United Nations, and urges that efforts be continued to build up public awareness by explaining, through all available means, the importance of the role played by the United Nations and the missions accredited to it in the strengthening of international peace and security;

6. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

7. *Requests* the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

8. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Report of the Committee on Relations with the Host Country".

48th plenary meeting
28 November 1990

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[34] *Ibid., Forty-fifth Session, Supplement No. 26* (A/45/26).

[35] Resolution 22 A (I).

[36] See resolution 169 (II).

45/47. Additional protocol on consular functions to the Vienna Convention on Consular Relations

The General Assembly,

Recalling that the Vienna Convention on Consular Relations of 24 April 1963[37] sets the basic framework for the exercise of consular functions,

Considering that paragraph 2 of article 73 of the Convention provides that nothing in the Convention shall preclude States from concluding international agreements confirming or supplementing or extending or amplifying the provisions thereof,

Having in mind further development of the international practice in the field of consular functions as a result of an increased co-operation among States,

Realizing that one of the functions of the General Assembly in promoting international co-operation consists in initiating studies and making recommendations for the purpose of encouraging the progressive development of international law and its codification,

Having considered the item entitled "Additional protocol on consular functions to the Vienna Convention on Consular Relations",

1. *Reaffirms its conviction* that the Vienna Convention on Consular Relations has played, for over two decades, and will continue to play an essential role in promoting co-operation and understanding among States, by creating favourable conditions for the activities of consular posts and for the conduct of consular relations;

2. *Takes note with interest* of the proposal concerning the elaboration of an additional protocol on consular functions to the Vienna Convention on Consular Relations;[38]

3. *Requests* the Secretary-General to seek the views of Member States and of other States parties to the Convention on the proposal and on the procedure to be followed in considering this question, and to submit a report thereon to the General Assembly at its forty-sixth session;

4. *Decides* to include in the provisional agenda of its forty-sixth session the item entitled "Additional protocol on consular functions to the Vienna Convention on Consular Relations".

48th plenary meeting
28 November 1990

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[37] United Nations, *Treaty Series*, vol. 596, No. 8638.

[38] See A/45/141, annex.

X. DECISIONS

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[1] For other elections and appointments, see sect. VI, resolution 45/108.

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45/405	Report of the International Court of Justice (A/45/4; A/45/PV.35)	13	25 October 1990	383
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Decision No.	*Title*	*Item*	*Date of adoption*	*Page*
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45/442	Report of the *Ad Hoc* Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade (A/45/849/Add.2, para. 7; A/45/PV.71)	79	21 December 1990	390
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45/444	Strengthening technical co-operation among developing countries in food and agriculture (A/45/849/Add.5, para. 13; A/45/PV.71)	79	21 December 1990	390
45/445	Report of the Secretary-General on the progress achieved in the implementation of resolution 44/207 on protection of global climate for present and future generations of mankind (A/45/851, para. 14; A/45/PV.71)	81	21 December 1990	390
45/446	Report of the Secretary-General on international co-operation for the eradication of poverty in developing countries (A/45/852, para. 11; A/45/PV.71)	82	21 December 1990	390
45/447	Establishment of an advisory commission on debt and development (A/45/853, para. 17; A/45/PV.71)	83	21 December 1990	390
45/448	Operational activities for development of the United Nations system (A/45/854, para. 28; A/45/PV.71)	84	21 December 1990	391
45/449	Documents relating to operational activities for development (A/45/854, para. 28; A/45/PV.71)	84	21 December 1990	391

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45/428	Crime prevention and criminal justice (A/45/756, para. 52; A/45/PV.68)	100	14 December 1990	391
45/432	Respect for the will of the people of Myanmar (A/45/766, para. 22; A/45/PV.69)	110	18 December 1990	391
45/433	United Nations Voluntary Fund for Indigenous Populations (A/45/838, para. 110; A/45/PV.69)	12	18 December 1990	391
45/434	Non-discrimination and protection of minorities (A/45/838, para. 110; A/45/PV.69)	12	18 December 1990	392

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45/451	Printing requirements of the United Nations (A/45/879, para. 8; A/45/PV.72)	124	21 December 1990	395
45/452	Amendments to the Staff Rules (A/45/898, para. 16; A/45/PV.72)	126	21 December 1990	395
45/453	Report of the Economic and Social Council (A/45/886, para. 4; A/45/PV.72)	12	21 December 1990	395

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45/413	United Nations rules for the conciliation of disputes between States (A/45/742, para. 8; A/45/PV.48)	147	28 November 1990	395

A. ELECTIONS AND APPOINTMENTS

45/301. Appointment of the members of the Credentials Committee

At its 1st plenary meeting, on 18 September 1990, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed the following nine States members of the Credentials Committee: BOTSWANA, CHINA, CÔTE D'IVOIRE, IRELAND, JAMAICA, NEPAL, URUGUAY, UNION OF SOVIET SOCIALIST REPUBLICS and UNITED STATES OF AMERICA.

45/302. Election of the President of the General Assembly[2]

At its 1st plenary meeting, on 18 September 1990, the General Assembly, in accordance with Article 21 of the Charter of the United Nations and rule 31 of the rules of procedure of the Assembly, elected Mr. Guido de MARCO (Malta) President of the General Assembly.

45/303. Election of the Chairmen of the Main Committee[2]

On 18 September 1990, the seven Main Committees of the General Assembly held meetings, in accordance with rule 103 of the rules of procedure of the Assembly, for the purpose of electing their Chairmen.

At the 2nd plenary meeting, on 18 September 1990, the President of the General Assembly announced that the following persons had been elected Chairmen of the Main Committees:

First Committee: Mr. Jai Pratap RANA (Nepal),

Special Political Committee: Mr. Perezi KARUKUBIRO-KAMUNANWIRE (Uganda),

Second Committee: Mr. George PAPADATOS (Greece),

Third Committee: Mr. Juan O. SOMAVIA (Chile),

Fourth Committee: Mr. Martin ADOUKI (Congo),

Fifth Committee: Mr. Ernest Besley MAYCOCK (Barbados),

Sixth Committee: Mr. Václav MIKULKA (Czechoslovakia).

45/304. Election of the Vice-Presidents of the General Assembly[2]

At its 2nd plenary meeting, on 18 September 1990, the General Assembly, in accordance with rule 31 of its rules of procedure, elected the representatives of the following twenty-one Member States Vice-Presidents of the General Assembly: BRAZIL, CANADA, CHINA, CYPRUS, EGYPT, FIJI, FRANCE, GHANA, HONDURAS, INDONESIA, LEBANON, MAURITIUS, MOZAMBIQUE, RWANDA, SAINT LUCIA, SENEGAL, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED ARAB EMIRATES, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA and YUGOSLAVIA.

45/305. Appointment of members of the Advisory Committee on Administrative and Budgetary Questions

A

At its 23rd plenary meeting, on 5 October 1990, the General Assembly, on the recommendation of the Fifth Committee,[3] appointed Mr. Louis A. Wiltshire as a member of the Advisory Committee on Administrative and Budgetary Questions for a term of office beginning on 5 October 1990 and ending on 31 December 1991.

B

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[4] appointed the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 1991:

Mr. Leonid Efimovich Bidny,

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[2] In accordance with rule 38 of the rules of procedure of the General Assembly, the General Committee consists of the President of the Assembly, the twenty-one Vice-Presidents and the Chairmen of the seven Main Committees.

[3] *Official Records of the General Assembly, Forty-fifth Session, Annexes,* agenda item 17, document A/45/577, para. 4.

[4] *Ibid.,* document A/45/577/Add.1, para. 4.

Mr. Even Fontaine Ortiz,

Mr. John Fox,

Mr. Richard Kinchen,

Mr. M'hand Ladjouzi.

As a result, the Advisory Committee on Administrative and Budgetary Questions is composed as follows: Mr. Lawrence O. C. AGUBUZU (*Nigeria*),* Mr. Ahmad Fathi AL-MASRI (*Syrian Arab Republic*),* Mr. Leonid Efimovich BIDNY (*Unionof Soviet Socialist Republics*),*** Mr. Carlos CASAP (*Bolivia*),** Mr. Even FONTAINE ORTIZ (*Cuba*),*** Mr. John FOX (*United States of America*),*** Mr. Yogesh Kumar GUPTA (*India*),** Mr. Tadanori INOMATA (*Japan*),** Mr. Ulrich KALBITZER (*Germany*),** Mr. Richard KINCHEN (*United Kingdom of Great Britain and Northern Ireland*),*** Mr. M'hand LADJOUZI (*Algeria*),*** Mr. C. S. M. MSELLE (*United Republic of Tanzania*),* Mrs. Irmeli MUSTONEN (*Finland*),** Mr. József TARDOS (*Hungary*),* Mr. Louis A. WILTSHIRE (*Trinidad and Tobago*)* and Mr. YANG Hushan (*China*).**

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/306. Election of five non-permanent members of the Security Council

At its 36th plenary meeting, on 1 November 1990, the General Assembly, in accordance with Article 23 of the Charter of the United Nations and rule 142 of the rules of procedure of the Assembly, elected AUSTRIA, BELGIUM, ECUADOR, INDIA and ZIMBABWE non-permanent members of the Security Council for a two-year term of office beginning on 1 January 1991 to fill the vacancies occurring on the expiration of the terms of office of CANADA, COLOMBIA, ETHIOPIA, FINLAND and MALAYSIA.

As a result, the Security Council is composed of the following Member States: AUSTRIA,** BELGIUM,** CHINA, CÔTE D'IVOIRE,* CUBA,* YEMEN,* ECUADOR,** FRANCE, INDIA,** ROMANIA,* UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA, ZAIRE* and ZIMBABWE.**

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

45/307. Election of five members of the International Court of Justice

The General Assembly, at its 38th and 39th plenary meetings, on 15 November 1990, and the Security Council, at its 2955th and 2956th meetings, on the same date, proceeded independently of one another to elect, in accordance with Articles 2 to 4 and 7 to 12 of the Statute of the International Court of Justice, rules 150 and 151 of the rules of procedure of the Assembly and rules 40 and 61 of the provisional rules of procedure of the Council, five members of the Court for a nine-year term of office beginning on 6 February 1991 to fill the vacancies occurring on the expiration of the terms of office of Mr. José María RUDA (*Argentina*), Mr. Kéba MBAYE (*Senegal*), Sir Robert Yewdall JENNINGS (*United Kingdom of Great Britain and Northern Ireland*), Mr. Gilbert GUILLAUME (*France*) and Mr. Raghunandan Swarup PATHAK (*India*).[5] The following persons were elected:

Mr. Andrés Aguilar Mawdsley (Venezuela),

Sir Robert Yewdall Jennings (United Kingdom of Great Britain and Northern Ireland),

Mr. Gilbert Guillaume (France),

Mr. Christopher Gregory Weeramantry (Sri Lanka),

Mr. Raymond Ranjeva (Madagascar).

As a result, the International Court of Justice is composed as follows: Sir Robert Yewdall JENNINGS (*United Kingdom of Great Britain and Northern Ireland*),*** President, Mr. Shigeru ODA (*Japan*),* Vice-President, Mr. Manfred LACHS (*Poland*),* Mr. Taslim Olawale ELIAS (*Nigeria*),* Mr. Roberto AGO (*Italy*),** Mr. Stephen M. SCHWEBEL (*United States of America*),** Mr. Mohammed BEDJAOUI (*Algeria*),** Mr. NI Zhengyu (*China*),* Mr. Jens EVENSEN (*Norway*),* Mr. Nikolai

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[5] *Ibid.*, agenda item 15, documents A/45/543-S/21823; A/45/544/Rev.1-S/21824/Rev.1; and A/45/545-S/21825.

Konstantinovich TARASSOV (*Union of Soviet Socialist Republics*),** Mr. Gilbert GUILLAUME (*France*),*** Mr. Mohamed SHAHABUDDEEN (*Guyana*),** Mr. Andrés Aguilar MAWDSLEY (Venezuela),*** Mr. Christopher Gregory WEERAMANTRY (Sri Lanka),*** and Mr. Raymond RANJEVA (Madagascar).***

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* Term of office expires on 5 February 1994.

** Term of office expires on 5 February 1997.

*** Term of office expires on 5 February 2000.

45/308. Election of eighteen members of the Economic and Social Council

A

At its 41st and 46th plenary meetings, on 16 and 21 November 1990, the General Assembly, in accordance with Article 61 of the Charter of the United Nations and rule 145 of the rules of procedure of the Assembly, elected ARGENTINA, AUSTRIA, BOTSWANA, CHILE, FRANCE, GERMANY, GUINEA, JAPAN, MALAYSIA, MOROCCO, PERU, SOMALIA, SPAIN, the SYRIAN ARAB REPUBLIC, TOGO, TRINIDAD AND TOBAGO, TURKEY and YUGOSLAVIA members of the Economic and Social Council for a three-year term of office beginning on 1 January 1991 to fill the vacancies occurring on the expiration of the terms of office of COLOMBIA, CUBA, FRANCE, GERMANY, GHANA, GREECE, GUINEA, INDIA, IRELAND, JAPAN, LESOTHO, LIBERIA, the LIBYAN ARAB JAMAHIRIYA, PORTUGAL, SAUDI ARABIA, TRINIDAD AND TOBAGO, VENEZUELA and YUGOSLAVIA.

B

At its 41st plenary meeting, on 16 November 1990, the General Assembly, in accordance with rule 140 of the rules of procedure of the Assembly, elected ROMANIA, by secret ballot, to the Economic and Social Council for a term of office beginning on 16 November 1990 until 31 December 1992 to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

As a result, the Economic and Social Council is composed of the following fifty-four Member States: ALGERIA,** ARGENTINA,*** AUSTRIA,*** BAHAMAS,* BAHRAIN,** BOTSWANA,*** BRAZIL,* BULGARIA,** BURKINA FASO,** CAMEROON,* CANADA,** CHILE,*** CHINA,** CZECHOSLOVAKIA,* ECUADOR,** FINLAND,** FRANCE,*** GERMANY,*** GUINEA,*** INDONESIA,* IRAN (ISLAMIC REPUBLIC OF),** IRAQ,* ITALY,* JAMAICA,** JAPAN,*** JORDAN,* KENYA,* MALAYSIA,*** MEXICO,** MOROCCO,*** NETHERLANDS,* NEW ZEALAND,* NICARAGUA,* NIGER,* PAKISTAN,** PERU,*** ROMANIA,** RWANDA,** SOMALIA,*** SPAIN,*** SWEDEN,** SYRIAN ARAB REPUBLIC,*** THAILAND,* TRINIDAD AND TOBAGO,*** TOGO,*** TUNISIA,* TURKEY,*** UKRAINIAN SOVIET SOCIALIST REPUBLIC,* UNION OF SOVIET SOCIALIST REPUBLICS,** UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,** UNITED STATES OF AMERICA,* YUGOSLAVIA,*** ZAIRE** and ZAMBIA.*

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/309. Election of twelve members of the World Food Council

A

At its 47th plenary meeting, on 27 November 1990, the General Assembly, on the basis of the nominations by the Economic and Social Council[6] and in accordance with paragraph 8 of its resolution 3348 (XXIX) of 17 December 1974, elected BANGLADESH, BULGARIA, CANADA, CHINA, COLOMBIA, the GAMBIA, KENYA, LESOTHO, MEXICO, NEPAL, TURKEY and the UNITED STATES OF AMERICA members of the World Food Council for a three-year term of office beginning on 1 January 1991 to fill the vacancies occurring on the expiration of the terms of office of BULGARIA, CANADA, CHINA, CÔTE D'IVOIRE, INDONESIA, MADAGASCAR, MEXICO, THAILAND, TURKEY, URUGUAY, the UNITED STATES OF AMERICA and ZAMBIA.

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[6] See Economic and Social Council decision 1990/212 of 23 May 1990. See also A/45/296, para. 2.

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At the same meeting, the General Assembly, on the basis of the nomination by the Economic and Social Council,[7] elected YUGOSLAVIA to the World Food Council for a term of office beginning on 27 November 1990 until 31 December 1991 to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

As a result, the World Food Council is composed of the following thirty-six States: ARGENTINA,** AUSTRALIA,* BANGLADESH,*** BULGARIA,*** BURUNDI,** CANADA,*** CAPE VERDE,* CHINA,*** COLOMBIA,*** CYPRUS,* DENMARK,** ECUADOR,* EGYPT,** FRANCE,** GAMBIA,*** GERMANY,* GUATEMALA,* HUNGARY,** IRAN (ISLAMIC REPUBLIC OF),** ITALY,** JAPAN,** KENYA,*** LESOTHO,*** MEXICO,*** NEPAL,*** NIGER,* PARAGUAY,* PERU,** RWANDA,** SYRIAN ARAB REPUBLIC,* TURKEY,*** UNION OF SOVIET SOCIALIST REPUBLICS,* UNITED STATES OF AMERICA,*** YEMEN,** YUGOSLAVIA* and ZIMBABWE.*

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/310. Election of twenty members of the Committee for Programme and Co-ordination

At its 47th plenary meeting, on 27 November 1990, the General Assembly, on the basis of nominations by the Economic and Social Council[8] and in accordance with the annex to Council resolution 2008 (LX) of 14 May 1976 and paragraph 1 of Council resolution 1987/94 of 4 December 1987, elected BRAZIL, BULGARIA, BURUNDI, CHILE, COLOMBIA, the CONGO, GERMANY, INDIA, INDONESIA, IRAQ, ITALY, the NETHERLANDS, NIGERIA, NORWAY, PAKISTAN, POLAND, TRINIDAD AND TOBAGO, UGANDA, the UKRAINIAN SOVIET SOCIALIST REPUBLIC and the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND members of the Committee for Programme and Co-ordination for a three-year term of office beginning on 1 January 1991 to fill the vacancies occurring on the expiration of the terms of office of AUSTRIA, BAHRAIN, BANGLADESH, CANADA, COLOMBIA, CÔTE D'IVOIRE, CUBA, KENYA, GERMANY, INDIA, MEXICO, PAKISTAN, POLAND, ROMANIA, RWANDA, SWEDEN, TRINIDAD AND TOBAGO, UGANDA, the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and YUGOSLAVIA.

As a result, the Committee for Programme and Co-ordination is composed of the following thirty-four States: ALGERIA,** ARGENTINA,** BAHAMAS,* BENIN,* BRAZIL,*** BULGARIA,*** BURUNDI,*** CAMEROON,** CHILE,*** CHINA,** COLOMBIA,*** CONGO,*** FRANCE,* GERMANY,*** INDIA,*** INDONESIA,*** IRAQ,*** ITALY,*** JAPAN,** MOROCCO,** NETHERLANDS,*** NIGERIA,*** NORWAY,*** PAKISTAN,*** POLAND,*** SRI LANKA,** TRINIDAD AND TOBAGO,*** UGANDA,*** UKRAINIAN SOVIET SOCIALIST REPUBLIC,*** UNION OF SOVIET SOCIALIST REPUBLICS,* UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,*** UNITED STATES OF AMERICA,* VENEZUELA* and ZAMBIA.*

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/311. Appointment of a member of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

At its 48th plenary meeting, on 28 November 1990, the General Assembly, in accordance with its resolution 3349 (XXIX) of 17 December 1974, took note of the appointment by its President, after consultations with the chairmen of the regional groups, of HUNGARY as a member of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization beginning 28 November 1990 to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

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[7] See Economic and Social Council decision 1990/291 of 9 November 1990. See also A/45/296/Add.1.

[8] See Economic and Social Council decisions 1990/212 of 23 May 1990 and 1990/291 of 9 November 1990. See also A/45/297 and Add.1.

As a result, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization is composed of the following forty-seven States: ALGERIA, ARGENTINA, BARBADOS, BELGIUM, BRAZIL, CHINA, COLOMBIA, CONGO, CYPRUS, CZECHOSLOVAKIA, ECUADOR, EGYPT, EL SALVADOR, FINLAND, FRANCE, GERMANY, GHANA, GREECE, GUYANA, HUNGARY, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), IRAQ, ITALY, JAPAN, KENYA, LIBERIA, MEXICO, NEPAL, NEW ZEALAND, NIGERIA, PAKISTAN, PHILIPPINES, POLAND, ROMANIA, RWANDA, SIERRA LEONE, SPAIN, TUNISIA, TURKEY, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA, UNION OF SOVIET SOCIALIST REPUBLICS, VENEZUELA, YUGOSLAVIA and ZAMBIA.

45/312. Confirmation of the appointment of one member of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

At its 55th plenary meeting, on 4 December 1990, the General Assembly confirmed the nomination by its President of PAPUA NEW GUINEA as a member of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, to fill the vacancy brought about by the withdrawal of AUSTRALIA in 1985.[9]

As a result, the Special Committee is composed of the following twenty-five Member States: AFGHANISTAN, BULGARIA, CHILE, CHINA, CONGO, CÔTE D'IVOIRE, CUBA, CZECHOSLOVAKIA, ETHIOPIA, FIJI, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), IRAQ, MALI, NORWAY, PAPUA NEW GUINEA, SIERRA LEONE, SYRIAN ARAB REPUBLIC, TRINIDAD AND TOBAGO, TUNISIA, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED REPUBLIC OF TANZANIA, VENEZUELA and YUGOSLAVIA.

45/313. Appointment of a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

At its 59th plenary meeting, on 6 December 1990, the General Assembly took note of the appointment by its President of the BYELORUSSIAN SOVIET SOCIALIST REPUBLIC as a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, with immediate effect, to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

As a result, the Committee on the Exercise of the Inalienable Rights of the Palestinian People is composed of the following twenty-three States: AFGHANISTAN, BYELORUSSIAN SOVIET SOCIALIST REPUBLIC, CUBA, CYPRUS, GUINEA, GUYANA, HUNGARY, INDIA, INDONESIA, LAO PEOPLE'S DEMOCRATIC REPUBLIC, MADAGASCAR, MALAYSIA, MALI, MALTA, NIGERIA, PAKISTAN, ROMANIA, SENEGAL, SIERRA LEONE, TUNISIA, TURKEY, UKRAINIAN SOVIET SOCIALIST REPUBLIC and YUGOSLAVIA.

45/314. Appointment of members of the Committee on Conferences

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At its 63rd plenary meeting, on 10 December 1990, the General Assembly, in accordance with paragraph 2 of its resolution 43/222 B of 21 December 1988, took note of the appointment by its President, after consultations with the chairmen of the regional groups, of CHILE, CYPRUS, FRANCE, GABON, JAPAN, KENYA and the UNION OF SOVIET SOCIALIST REPUBLICS as members of the Committee on Conferences for a three-year term of office beginning on 1 January 1991.

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At the same meeting, the General Assembly took note of the appointment by its President of HUNGARY as a member of the Committee on Conferences for a term of office beginning on 10 December 1990 until 31 December 1991 to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

As a result, the Committee on Conferences is composed of the following twenty-one Member States: AUSTRIA,** CHILE,*** CYPRUS,*** FRANCE,*** GABON,*** GHANA,* HONDURAS,* HUNGARY,* INDONESIA,* IRAQ,** JAMAICA,*

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[9] See A/45/723 and A/45/724.

JAPAN,*** KENYA,*** LIBERIA,** MEXICO,** MOZAMBIQUE,* PAKISTAN,** UGANDA,** UNION OF SOVIET SOCIALIST REPUBLICS,*** UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND* and UNITED STATES OF AMERICA.**

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/315. Appointment of a member of the Committee on the Peaceful Uses of Outer Space

At its 65th plenary meeting, on 11 December 1990, the General Assembly, on the recommendation of the Special Political Committee,[10] appointed the UKRAINIAN SOVIET SOCIALIST REPUBLIC as a member of the Committee on the Peaceful Uses of Outer Space, with immediate effect, to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

As a result, the Committee on the Peaceful Uses of Outer Space is composed of the following fifty-three States: ALBANIA, ARGENTINA, AUSTRALIA, AUSTRIA, BELGIUM, BENIN, BRAZIL, BULGARIA, BURKINA FASO, CAMEROON, CANADA, CHAD, CHILE, CHINA, COLOMBIA, CZECHOSLOVAKIA, ECUADOR, EGYPT, FRANCE, GERMANY, HUNGARY, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), IRAQ, ITALY, JAPAN, KENYA, LEBANON, MEXICO, MONGOLIA, MOROCCO, NETHERLANDS, NIGER, NIGERIA, PAKISTAN, PHILIPPINES, POLAND, PORTUGAL, ROMANIA, SIERRA LEONE, SUDAN, SWEDEN, SYRIAN ARAB REPUBLIC, TURKEY, UKRAINIAN SOVIET SOCIALIST REPUBLIC, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA, URUGUAY, VENEZUELA, VIET NAM and YUGOSLAVIA.

45/316. Appointment of members of the Committee on Information[11]

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At its 65th plenary meeting, on 11 December 1990, the General Assembly, on the recommendation of the Committee on Information,[12] appointed CZECHOSLOVAKIA, IRAN (ISLAMIC REPUBLIC OF), JAMAICA and URUGUAY as members of the Committee on Information.

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At the same meeting, the General Assembly took note of the appointment by its President of the BYELORUSSIAN SOVIET SOCIALIST REPUBLIC as a member of the Committee on Information, with immediate effect, to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

As a result, the Committee on Information is composed of the following seventy-eight Member States: ALGERIA, ARGENTINA, BANGLADESH, BELGIUM, BENIN, BRAZIL, BULGARIA, BURUNDI, BYELORUSSIAN SOVIET SOCIALIST REPUBLIC, CHILE, CHINA, COLOMBIA, CONGO, COSTA RICA, CÔTE D'IVOIRE, CUBA, CYPRUS, CZECHOSLOVAKIA, DENMARK, ECUADOR, EGYPT, EL SALVADOR, ETHIOPIA, FINLAND, FRANCE, GERMANY, GHANA, GREECE, GUATEMALA, GUINEA, GUYANA, HUNGARY, INDIA, INDONESIA, IRAN (ISLAMIC REPUBLIC OF), IRELAND, ITALY, JAMAICA, JAPAN, JORDAN, KENYA, LEBANON, MALTA, MEXICO, MONGOLIA, MOROCCO, NEPAL, NETHERLANDS, NIGER, NIGERIA, PAKISTAN, PERU, PHILIPPINES, POLAND, PORTUGAL, ROMANIA, SINGAPORE, SOMALIA, SPAIN, SRI LANKA, SUDAN, SYRIAN ARAB REPUBLIC, TOGO, TRINIDAD AND TOBAGO, TUNISIA, TURKEY, UKRAINIAN SOVIET SOCIALIST REPUBLIC, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED REPUBLIC OF TANZANIA, UNITED STATES OF AMERICA, URUGUAY, VENEZUELA, VIET NAM, YEMEN, YUGOSLAVIA, ZAIRE and ZIMBABWE.

45/317. Election of a member of the Governing Council of the United Nations Environment Programme

At its 66th plenary meeting, on 12 December 1990, the General Assembly elected the UKRAINIAN SOVIET SOCIALIST REPUBLIC as a member of the Governing

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[10] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 73, document A/45/821, para. 12.

[11] See also sect. X.B.3, decision 45/422.

[12] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 21* (A/45/21), para. 76.

Council of the United Nations Environment Programme, with immediate effect, to fill the unexpired portion of the term of office of the German Democratic Republic, that is, until 31 December 1993, to fill the vacancy brought about by the accession of the German Democratic Republic to the Federal Republic of Germany.

As a result, the Governing Council of the United Nations Environment Programme is composed of the following fifty-eight Member States: Argentina,** Austria,** Bangladesh,* Barbados,** Botswana,* Brazil,** Bulgaria,* Burundi,** Canada,* Chile,* China,** Colombia,* Costa Rica,* Côte d'Ivoire,* Czechoslovakia,* Finland,* France,** Gabon,** Gambia,** Germany,** Guyana,* India,* Indonesia,** Japan,** Jordan,* Kenya,* Kuwait,** Lesotho,** Libyan Arab Jamahiriya,* Malta,* Mauritius,** Mexico,* Netherlands,* New Zealand,** Norway,** Oman,* Pakistan,* Peru,** Philippines,** Poland,* Rwanda,* Saudi Arabia,* Spain,** Sri Lanka,* Sudan,* Thailand,** Togo,* Tunisia,** Turkey,* Uganda,* Ukrainian Soviet Socialist Republic,** Union of Soviet Socialist Republics,** United Kingdom of Great Britain and Northern Ireland,* United States of America,** Venezuela,** Yugoslavia,** Zaire** and Zimbabwe.**

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1993.

45/318. Appointment of a member of the Consultative Committee on the United Nations Development Fund for Women

At its 66th plenary meeting, on 12 December 1990, the General Assembly took note of the appointment by its President of Bulgaria as a member of the Consultative Committee on the United Nations Development Fund for Women for a term of office beginning 12 December 1990 and ending 31 December 1991 to fill the vacancy brought about by the accession of the German Democratic Republic to the Federal Republic of Germany.

45/319. Election of the United Nations High Commissioner for Refugees

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the proposal of the Secretary-General,[13] elected Mrs. Sadako Ogata as United Nations High Commissioner for Refugees for a period of three years beginning on 1 January 1991.

45/320. Appointment of members of the Committee on Contributions

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[14] appointed the following persons as members of the Committee on Contributions for a three-year term of office beginning on 1 January 1991:

Mr. Sayed Amjad Ali,

Mr. Henrik Amneus,

Mr. Yuri Alexandrovich Chulkov,

Mr. Jorge José Duhalt,

Mr. Ugo Sessi,

Mr. Wang Liansheng.

As a result, the Committee on Contributions, as of 1 January 1991, is composed as follows: Mr. Kenshiroh Akimoto (*Japan*),* Mr. Sayed Amjad Ali (*Pakistan*),*** Mr. Henrik Amneus (*Sweden*),*** Mr. Bagbeni Adeito Nzengeya (*Zaire*),** Mr. Sergio Chaparro Ruiz (*Chile*),** Mr. Yuri Alexandrovich Chulkov (*Union of Soviet Socialist Republics*),*** Mr. Jorge José Duhalt (*Mexico*),*** Mr. John Fox (*United States of America*),* Mr. Ion Gorită (*Romania*),* Mr. Peter Gregg (*Australia*),** Mr. Elias M. C. Kazembe (*Zambia*),* Mr. Vanu Gopala Menon (*Singapore*),* Mr. Atilio Norberto Molteni (*Argentina*),** Mr. Mohamed Mahmoud Ould El

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[13] A/45/890, para. 3.

[14] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 17, document A/45/861, para. 6.

GHAOUTH (*Mauritania*),** Mr. Dimitri RALLIS (*Greece*),** Mr. Ugo SESSI (*Italy*),*** Mr. WANG Liansheng (*China*)*** and Mr. Assen Iliev ZLATANOV (*Bulgaria*).*

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/321. Appointment of a member of the Board of Auditors

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[15] reappointed the Auditor-General of GHANA as a member of the Board of Auditors for a three-year term of office beginning on 1 July 1991.

As a result the Board of Auditors will be composed as follows: President of the Federal Court of Audit of GERMANY,* Auditor-General of GHANA*** and Chairman of the Commission on Audit of the PHILIPPINES.**

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* Term of office expires on 30 June 1992.

** Term of office expires on 30 June 1993.

*** Term of office expires on 30 June 1994.

45/322. Confirmation of the appointment of members of the Investments Committee

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[16] confirmed the reappointment by the Secretary-General[17] of the following persons as members of the Investments Committee for a three-year term of office beginning on 1 January 1991:

Mr. Jean Guyot,

Mr. George Johnston,

Mr. Michiya Matsukawa.

As a result, the Investments Committee is composed as follows: Mr. Aloysio de Andrade FARIA (*Brazil*),* Mr. Jean GUYOT (*France*),*** Mr. George JOHNSTON (*United States of America*),*** Mr. Michiya MATSUKAWA (*Japan*),*** Mr. Braj Kumar NEHRU (*India*),* Mr. Yves OLTRAMARE (*Switzerland*),** Mr. Emmanuel Noi OMABOE (*Ghana*),** Mr. Stanislaw RACZKOWSKI (*Poland*)* and Mr. Juergen REIMNITZ (*Germany*).**

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/323. Appointment of members of the United Nations Administrative Tribunal

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[18] appointed the following persons as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 1991:

Mr. Luis de Posadas Montero,

Mr. Ioan Voicu.

As a result, the United Nations Administrative Tribunal is composed as follows: Mr. Roger PINTO (*France*),* President, Mr. Jerome ACKERMAN (*United States of America*),** Vice-President, Mr. Ahmed OSMAN (*Egypt*),* Vice-President, Mr. Samarendranath SEN (*India*),* Mr. Arnold Wilfred Geoffrey KEAN (*United Kingdom*

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[15] *Ibid.*, document A/45/862, para. 5.

[16] *Ibid.*, document A/45/863, para. 4.

[17] See A/C.5/45/14.

[18] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 17, document A/45/864, para. 4.

of Great Britain and Northern Ireland),** Mr. Ioan VOICU (*Romania*)*** and Mr. Luis de Posadas MONTERO (*Uruguay*).***

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* Term of office expires on 31 December 1991.

** Term of office expires on 31 December 1992.

*** Term of office expires on 31 December 1993.

45/324. Appointment of members of the International Civil Service Commission and designation of the Chairman and Vice-Chairman of the Commission

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee:[19]

(*a*) Appointed the following persons as members of the International Civil Service Commission:

(i) For a four-year term of office beginning on 1 January 1991:

Mr. Mohsen Bel Hadj Amor,

Mrs. Turkia Daddah,

Mr. André Xavier Pirson,

Mr. Jaroslav Riha,

Mr. Carlos S. Vegega;

(ii) For a two-year term of office beginning on 1 January 1991:

Mr. Anatoly Matveyevich Dryukov;

(*b*) Designated Mr. Mohsen Bel Hadj Amor as Chairman of the Commission for a four-year term of office beginning on 1 January 1991;

(*c*) Designated Mr. Carlos S. Vegega as Vice-Chairman of the Commission for a four-year term of office beginning on 1 January 1991.

As a result, the International Civil Service Commission is composed as follows: Mr. Mohsen BEL HADJ AMOR (*Tunisia*),*** Chairman, Mr. Carlos S. VEGEGA (*Argentina*),*** Vice-Chairman, Mr. Sayed Amjad ALI (*Pakistan*),* Mr. Michel Jean BARDOUX (*France*),** Mrs. Claudia COOLEY (*United States of America*),** Mrs. Turkia DADDAH (*Mauritania*),*** Mr. Anatoly Matveyevich DRYUKOV (*Union of Soviet Socialist Republics*),* Mrs. Francesca Yetunde EMANUEL (*Nigeria*),* Mr. Antônio Fonseca PIMENTEL (*Brazil*),** Mr. André Xavier PIRSON (*Belgium*),*** Mr. Jaroslav RIHA (*Czechoslovakia*),*** Mr. Omar SIRRY (*Egypt*),* Mr. Alexis STEPHANOU (*Greece*),** Mr. Ku TASHIRO (*Japan*)** and Mr. M. A. VELLODI (*India*).*

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* Term of office expires on 31 December 1992.

** Term of office expires on 31 December 1993.

*** Term of office expires on 31 December 1994.

45/325. Appointment of an alternate member of the United Nations Staff Pension Committee

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[20] appointed Mr. Jorge José DUHALT (*Mexico*) as an alternate member of the United Nations Staff Pension Committee for a one-year term of office beginning on 1 January 1991.

45/326. Appointment of a member of the Special Committee on Peace-keeping Operations

At its 72nd plenary meeting, on 21 December 1990, the General Assembly took note of the appointment by its President of GERMANY as a member of the Special Committee on Peace-keeping Operations, with immediate effect, to fill the vacancy brought about by the accession of the GERMAN DEMOCRATIC REPUBLIC to the Federal Republic of Germany.

As a result, the Special Committee on Peace-keeping Operations is composed of the following thirty-four Member States: AFGHANISTAN, ALGERIA, ARGENTINA,

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[19] *Ibid.*, document A/45/865, para. 6.

[20] *Ibid.*, document A/45/866, para. 4.

AUSTRALIA, AUSTRIA, CANADA, CHINA, DENMARK, EGYPT, EL SALVADOR, ETHIOPIA, FRANCE, GERMANY, GUATEMALA, HUNGARY, INDIA, IRAQ, ITALY, JAPAN, MAURITANIA, MEXICO, NETHERLANDS, NIGERIA, PAKISTAN, POLAND, ROMANIA, SIERRA LEONE, SPAIN, THAILAND, UNION OF SOVIET SOCIALIST REPUBLICS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA, VENEZUELA and YUGOSLAVIA.

B. OTHER DECISIONS

1. *Decisions adopted without reference to a Main Committee*

45/401. Organization of the forty-fifth session

At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendations of the General Committee as set forth in its first report,[21] adopted a number of provisions concerning the organization of the forty-fifth session.

45/402. Adoption of the agenda and allocation of agenda items

At its 3rd and 13th plenary meetings, on 21 and 28 September 1990, the General Assembly, on the recommendations of the General Committee as set forth in its first[22] and second[23] reports, adopted the agenda[24] and the allocation of agenda items[25] for the forty-fifth session.

At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee,[26] decided:

(*a*) To defer consideration of the item entitled "Judgment of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua: need for immediate compliance";

(*b*) To include in the provisional agenda of the forty-sixth session the following items entitled "Question of the Malagasy islands of Glorieuses, Juan de Nova, Europa and Bassas da India", "Question of East Timor" and "Development and strengthening of good-neighbourliness between States".

At its 30th plenary meeting, on 15 October 1990, the General Assembly, in accordance with rule 81 of its rules of procedure, decided that the debate on sub-item (*c*) of agenda item 79 entitled "Review and appraisal of the implementation of the Substantial New Programme of Action for the 1980s for the Least Developed Countries" should be held directly in plenary, on the understanding that appropriate action on the sub-item would be taken by the Second Committee.

At the same meeting, the General Assembly, on the proposal of the Secretary-General,[27] decided to include in the agenda of its forty-fifth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

At its 65th plenary meeting, on 11 December 1990, the General Assembly, on the proposal of the Secretary-General,[28] decided to include in the agenda of its forty-fifth session an additional sub-item entitled "Election of a member of the Governing Council of the United Nations Environment Programme" under item 16, entitled "Elections to fill vacancies in subsidiary organs", to fill the vacancy caused by the accession of the German Democratic Republic to the Federal Republic of Germany.

At the same meeting, the General Assembly, on the proposal of the Secretary-General,[29] decided to include in the agenda of its forty-fifth session an additional sub-item entitled "Appointment of a member of the Consultative Committee on the United Nations Development Fund for Women" under item 17, entitled "Appointments to fill vacancies in subsidiary organs", to fill the vacancy caused by the accession of the German Democratic Republic to the Federal Republic of Germany.

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the proposal of the Secretary-General,[30] decided to include in the agenda of its forty-fifth session, under item 16, an additional sub-item entitled "Election of the United Nations High Commissioner for Refugees" and to amend the title of that item to read "Elections to fill vacancies in subsidiary organs and other elections".

45/403. Meetings of subsidiary organs during the forty-fifth session

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At its 2nd plenary meeting, on 18 September 1990, the General Assembly, on the recommendation of the Committee on Conferences,[31] decided that the following subsidiary organs should be authorized to hold meetings during the forty-fifth session:

(*a*) Committee for Programme and Co-ordination;

(*b*) *Ad Hoc* Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade.

B

At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendations of the Committee on Conferences[32] and of the General Committee, in its first report,[33] decided that the following subsidiary organs should be authorized to hold meetings during the forty-fifth session:

(*a*) Advisory Committee on the United Nations Educational and Training Programme for Southern Africa;

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[21] *Ibid.*, agenda item 8, document A/45/250, paras. 3-24.

[22] *Ibid.*, paras. 25-36.

[23] *Ibid.*, document A/45/250/Add.1, para. 2.

[24] For the final text of the agenda (A/45/251 and Add.1-4), see *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings*, vol. I, p. v. A numerical listing of agenda items also appears as annex III to the present volume.

[25] For the final text of the allocation of agenda items (A/45/252 and Add.1-4), see sect. I.

[26] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 8, document A/45/250, paras. 28-31.

[27] *Ibid.*, agenda item 155, document A/45/235.

[28] *Ibid.*, agenda item 16, document A/45/237.

[29] *Ibid.*, agenda item 17, document A/45/238.

[30] *Ibid.*, agenda item 16, document A/45/239, para. 4.

[31] See A/45/475.

[32] See A/45/475/Add.1.

[33] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 8, document A/45/250, para. 24.

(*b*) Committee of Trustees of the United Nations Trust Fund for South Africa;

(*c*) Committee on Relations with the Host Country;

(*d*) Committee on the Exercise of the Inalienable Rights of the Palestinian People;

(*e*) Special Committee against *Apartheid;*

(*f*) Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

C

At its 36th plenary meeting, on 1 November 1990, the General Assembly, on the recommendation of the Committee on Conferences,[34] decided that the following subsidiary organ should be authorized to hold meetings during the forty-fifth session:

International Civil Service Commission.

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At its 37th plenary meeting, on 7 November 1990, the General Assembly, on the recommendation of the Committee on Conferences,[35] decided that the following subsidiary organs should be authorized to hold meetings during the forty-fifth session of the Assembly:

Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa.

45/404. Report of the Secretary-General on the work of the Organization

At its 31st plenary meeting, on 16 October 1990, the General Assembly took note of the report of the Secretary-General on the work of the Organization.[36]

45/405. Report of the International Court of Justice

At its 35th plenary meeting, on 25 October 1990, the General Assembly took note of the report of the International Court of Justice.[37]

45/410. International Decade for the Eradication of Colonialism

At its 44th plenary meeting, on 20 November 1990, the General Assembly took note of the interim reports of the Secretary-General on the International Decade for the Eradication of Colonialism[38] and recommended that the Secretary-General should request those States and organizations of the United Nations system which have not yet done so to reply not later than 1 April 1991 to his letter of 31 January 1989 and subsequent communications, and that he should invite them once again to submit suggestions so that they may be taken into account in the final report to be submitted to the Assembly at its forty-sixth session, which report would enable the Assembly to consider and adopt an action plan aimed at ushering in, in the twenty-first century, a world free from colonialism.

45/411. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations

At its 47th plenary meeting, on 27 November 1990, the General Assembly took note of the note by the Secretary-General.[39]

45/420. Report of the Security Council

At its 63rd plenary meeting, on 10 December 1990, the General Assembly took note of the report of the Security Council.[40]

45/421. Question of equitable representation on and increase in the membership of the Security Council

At its 63rd plenary meeting, on 10 December 1990, the General Assembly decided to include in the provisional agenda of the forty-sixth session the item entitled "Question of equitable representation on and increase in the membership of the Security Council".

45/424. Question of the Falkland Islands (Malvinas)

At its 66th plenary meeting, on 12 December 1990, the General Assembly took note of the letter dated 21 February 1990 from the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland to the Secretary-General[41] and decided to include the item entitled "Question of the Falkland Islands (Malvinas)" in the provisional agenda of the forty-sixth session.

45/425. Question of peace, stability and co-operation in South-East Asia

At its 66th plenary meeting, on 12 December 1990, the General Assembly decided to include the item entitled "Question of peace, stability and co-operation in South-East Asia" in the provisional agenda of the forty-sixth session.

45/429. Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986

At its 68th plenary meeting, on 14 December 1990, the General Assembly decided to defer consideration of the item entitled "Declaration of the Assembly of

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[34] See A/45/475/Add.2.

[35] See A/45/475/Add.3.

[36] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 1* (A/45/1).

[37] *Ibid., Supplement No. 4* (A/45/4).

[38] A/44/800 and A/45/624.

[39] *Official Records of the General Assembly, Forty-fifth Session, Annexes,* agenda item 7, document A/45/501.

[40] *Ibid., Forty-fifth Session, Supplement No. 2* (A/45/2).

[41] A/45/136-S/21159; see *Official Records of the Security Council, Forty-fifth Year, Supplement for January, February and March 1990,* document S/21159.

Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986" and to include it in the provisional agenda of the forty-sixth session.

45/430. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security

At its 68th plenary meeting, on 14 December 1990, the General Assembly decided to defer consideration of the item entitled "Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security" to a later date during the forty-fifth session and to include it in the provisional agenda of the forty-sixth session.

45/431. Consequences of the prolongation of the armed conflict between Iran and Iraq

At its 68th plenary meeting, on 14 December 1990, the General Assembly decided to conclude consideration of the item entitled "Consequences of the prolongation of the armed conflict between Iran and Iraq" since there was no request for discussion of the item during the forty-fifth session.

45/435. Launching of global negotiations on international economic co-operation for development

At its 70th plenary meeting, on 19 December 1990, the General Assembly decided to defer consideration of the item entitled "Launching of global negotiations in international economic co-operation for development" and to include it in the provisional agenda of the forty-sixth session.

45/454. Implementation of the resolutions of the United Nations

At its 72nd plenary meeting, on 21 December 1990, the General Assembly decided to defer consideration of the item entitled "Implementation of the resolutions of the United Nations" and to include it in the provisional agenda of the forty-sixth session.

45/455. Items retained on the agenda of the forty-fifth session

At its 72nd plenary meeting, on 21 December 1990, the General Assembly decided to retain the following items on the agenda of its forty-fifth session:

Item 3 (*b*):	Report of the Credentials Committee;
Item 19:	Admission of new Members to the United Nations;
Item 23:	Question of Palestine;
Item 28:	The situation in Central America: threats to international peace and security and peace initiatives;
Item 34:	Policies of *apartheid* of the Government of South Africa;
Item 42:	Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security;
Item 43:	Question of Cyprus;
Item 76:	Comprehensive review of the whole question of peace-keeping operations in all their aspects;
Item 86:	Special economic and disaster relief assistance;
Item 100:	Crime prevention and criminal justice;
Item 117:	Review of the efficiency of the administrative and financial functioning of the United Nations;
Item 132:	Financing of the United Nations Transition Assistance Group;
Item 134:	Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations;
Item 153:	Iraqi aggression and the continued occupation of Kuwait in flagrant violation of the Charter of the United Nations.

2. *Decisions adopted on the reports of the First Committee*

45/414. Conclusion of effective international arrangements on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons

At its 54th plenary meeting, on 4 December 1990, the General Assembly took note of the report of the First Committee.[42]

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[42] *Official Records of the General Assembly, Forty-fifth Session, Annexes,* agenda item 51, document A/45/773.

45/415. International arms transfers

At its 54th plenary meeting, on 4 December 1990, the General Assembly, on the recommendation of the First Committee,[43] having recalled its resolution 43/75 I of 7 December 1988 and taking note of the ongoing study of the group of governmental experts to consider aspects of international arms transfers,[44] decided to include in the provisional agenda of its forty-sixth session the item entitled "International arms transfers".

45/416. Naval arms and disarmament

At its 54th plenary meeting, on 4 December 1990, the General Assembly, on the recommendation of the First Committee,[43] having recalled its resolution 44/116 M of 15 December 1989, in which, *inter alia,* it decided to include in the provisional agenda of its forty-fifth session the item entitled "Naval armaments and disarmament", decided to include in the provisional agenda of its forty-sixth session the item entitled "Naval armaments and disarmament".

45/417. Information on arms control and disarmament agreements

At its 54th plenary meeting, on 4 December 1990, the General Assembly, on the recommendation of the First Committee,[43] decided to invite the Secretary-General, making use of existing resources and voluntary contributions, to compile from information voluntarily provided by the relevant Member States and to make available on request appropriate information on multilateral and bilateral arms control and disarmament agreements, with the aim of providing an easily available source of texts and measures used in such agreements.

45/418. Conventional disarmament on a regional scale

At its 54th plenary meeting, on 4 December 1990, the General Assembly, on the recommendation of the First Committee,[43] having recalled its resolution 44/116 S of 15 December 1989, decided: (*a*) to welcome the report of the Secretary-General on this question;[45] (*b*) to invite Member States who have not yet done so to convey to the Secretary-General their views on this matter; and (*c*) to include in the provisional agenda of its forty-sixth session the item entitled "Conventional disarmament on a regional scale".

45/426. Report of the Economic and Social Council

At its 66th plenary meeting, on 12 December 1990, the General Assembly took note of the report of the First Committee.[46]

3. *Decisions adopted on the reports of the Special Political Committee*

45/419. Policies of *apartheid* of the Government of South Africa

At its 55th plenary meeting, on 4 December 1990, the General Assembly took note of the report of the Special Political Committee.[47]

45/422. Questions relating to information[48]

At its 65th plenary meeting, on 11 December 1990, the General Assembly, on the recommendation of the Committee on Information,[49] decided to increase the membership of the Committee from seventy-four to seventy-eight members.

45/423. Question of the composition of the relevant organs of the United Nations

At its 65th plenary meeting, on 11 December 1990, the General Assembly, on the recommendation of the Special Political Committee,[50] decided to include in the provisional agenda of its forty-sixth session the item entitled "Question of the composition of the relevant organs of the United Nations".

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[43] *Ibid.*, agenda item 56, document A/45/778, para. 53.

[44] See A/45/363, para. 4.

[45] A/45/428.

[46] *Official Records of the General Assembly, Forty-fifth Session, Annexes,* agenda item 12, document A/45/793.

[47] *Ibid.*, agenda item 34, document A/45/815.

[48] See also sect. IV, resolutions 45/76 A and B, and sect. X.A, decision 45/316.

[49] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 21* (A/45/21), para. 76.

[50] *Ibid.,Forty-fifth Session, Annexes,* agenda item 78, document A/45/725, para. 5.

4. *Decisions adopted on the reports of the Second Committee*

45/436. Implementation of section II of the annex to General Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[51] decided to consider the draft resolution entitled "Implementation of section II of the annex to General Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system"[52] at the forty-seventh session.

45/437. Inclusion of Liberia in the list of the least developed countries

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee:[51]

(*a*) Took note of Economic and Social Council decision 1990/261 of 19 July 1990, in which the Council endorsed the conclusion and recommendation of the Committee for Development Planning regarding the inclusion of Liberia in the list of the least developed countries;[53]

(*b*) Included Liberia in the list of the least developed countries.

45/438. Documents relating to the report of the Economic and Social Council

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[51] took note of the following documents:

(*a*) Report of the Economic and Social Council;[54]

(*b*) Final report of the Secretary-General on preparatory arrangements for the Second Transport and Communications Decade in Africa;[55]

(*c*) Report of the Secretary-General on preparations for the Second Industrial Development Decade for Africa;[56]

(*d*) Note by the Secretary-General transmitting the report of the Executive Director of the United Nations Population Fund on the United Nations Population Award and the Trust Fund for the United Nations Population Award;[57]

(*e*) Note by the Secretary-General[58] on the report of the Chairman of the Committee for Programme and Co-ordination and the Administrative Committee on Co-ordination on the twenty-fifth series of joint meetings of the committees.

45/439. Biennial programme of work for the Second Committee for 1991-1992

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[59] and in accordance with paragraph 5 of its resolution 39/217 of 18 December 1984, approved the biennial programme of work for the Second Committee for 1991-1992, annexed hereto.

ANNEX

Biennial programme of work for the Second Committee for 1991-1992[60]

1991

Item 1. *Report of the Economic and Social Council*[61]

(a) *Role of the public sector*

Documentation: Report of the Secretary-General on the role of the public sector in promoting the economic development of developing countries (General Assembly resolution 3335 (XXIX) of 17 December 1974 and Economic and Social Council resolution 1987/92 of 9 July 1987)[62]

(b) *Target for World Food Programme pledges for the period 1993-1994*

Documentation: Relevant section of the report of the Economic and Social Council

(c) *Permanent sovereignty over national resources in the occupied Palestinian and other Arab territories*

Documentation: Report of the Secretary-General on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories (Economic and Social Council resolution 1990/53 of 24 July 1990)[62]

(d) *Assistance to the Palestinian people*

Documentation: Report of the Secretary-General on assistance to the Palestinian people (Economic and Social Council resolution 1990/59 of 26 July 1990 and General Assembly resolution 45/183)[62]

(e) *Prevention and control of acquired immunodeficiency syndrome (AIDS)*

Documentation: Note by the Secretary-General transmitting the report of the Director-General of the World Health Organization on the implementation of the resolution on the prevention and control of acquired immunodeficiency syndrome (AIDS) (General Assembly resolution 45/187)[62]

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[51] *Ibid.*, agenda item 12, document A/45/848, para. 68.

[52] See A/C.2/45/L.3. For the printed text of the draft resolution, see decision 35/439, annex.

[53] *Official Records of the Economic and Social Council, 1990, Supplement No. 7* and corrigendum (E/1990/27 and Corr.1), para. 162.

[54] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 3* (A/45/3/Rev.1).

[55] A/45/185-E/1990/48.

[56] A/45/257-E/1990/61.

[57] A/45/278 and Corr.1.

[58] A/45/835.

[59] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 12, document A/45/848/Add.1, para. 4.

[60] The Second Committee will, in accordance with established practice and in pursuance of General Assembly decision 38/429, hold a general debate each year at the beginning of its work.

[61] The list of questions and documentation under this item is only indicative of requests for reports from the General Assembly. The list will be finalized after the Economic and Social Council completes its work in 1991.

[62] Report submitted to the General Assembly through the Economic and Social Council.

(f) *Special high-level meeting of the Economic and Social Council*

Documentation: Relevant section of the report of the Economic and Social Council (General Assembly resolution 45/182)

(g) *Code of conduct on transnational corporations*

Documentation: Note by the Secretary-General transmitting the code of conduct on transnational corporations (General Assembly resolution 45/186)

(h) *Inclusion of Namibia in the list of the least developed countries*

Documentation: Relevant section of the report of the Economic and Social Council (General Assembly resolution 45/198)

Item 2. *Development and international economic co-operation*

Documentation: Report of the Secretary-General on the implementation of the resolution on economic stabilization programmes in developing countries (General Assembly resolution 45/194)

Report of the President of the Economic and Social Council on the outcome of the informal exchange of views on the report of the South Commission (General Assembly resolution 45/195)

Draft resolution entitled "International conference on money and finance for development" (see General Assembly decision 45/441)

(a) *Trade and development*

Documentation: Report of the United Nations Conference on Trade and Development on its eighth session (General Assembly resolution 44/219 of 22 December 1989)

Report of the Trade and Development Board (General Assembly resolution 1995 (XIX) of 30 December 1964)[62]

Report of the Secretary-General on the implementation of the resolution on economic measures as a means of political and economic coercion against developing countries (General Assembly resolution 44/215 of 22 December 1989)

Note by the Secretary-General transmitting the report of the Secretary-General of the United Nations Conference on Trade and Development on progress in the implementation of specific action related to the particular needs and problems of land-locked developing countries (General Assembly resolution 44/214 of 22 December 1989)

Report of the Secretary-General on institutional developments related to the strengthening of international organizations in the area of multilateral trade (Economic and Social Council resolution 1990/57 of 26 July 1990)[62]

Report of the Secretary-General of the United Nations Conference on Trade and Development on the outcome of the negotiations on a draft international code of conduct on the transfer of technology (General Assembly resolution 45/204)

(b) *Implementation of the Programme of Action for the Least Developed Countries for the 1990s*

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/206

(c) *Effective mobilization and integration of women in development*

Documentation: Report of the Secretary-General on the effective mobilization and integration of women in development (General Assembly resolution 42/178 of 11 December 1987)[62]

(d) *World Decade for Cultural Development*

Documentation: Report of the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization on the progress of the World Decade for Cultural Development for the period 1990-1991 (General Assembly resolutions 41/187 of 8 December 1986, 44/238 of 22 December 1989 and 45/189)[62]

(e) *Economic and technical co-operation among developing countries*

Documentation: Report of the High-level Committee on the Review of Technical Co-operation among Developing Countries (General Assembly resolution 33/134 of 19 December 1978)[62]

Report of the Secretary-General on the implementation of the resolution on economic and technical co-operation among developing countries (General Assembly resolution 44/222 of 22 December 1989 and decision 45/444)

Report of the Secretary-General on the implementation of the resolution on co-operation between the United Nations and the Southern African Development Co-ordination Conference (General Assembly resolution 44/221 of 22 December 1989)

Report of the Secretary-General on the implementation of the decision on further strengthening and improving intergovernmental programming exercises for technical co-operation among developing countries (General Assembly decision 44/450 of 22 December 1989)

(f) *Environment*

Documentation: Report of the Governing Council of the United Nations Environment Programme (General Assembly resolutions 2997 (XXVII) of 15 December 1972 and 44/224 of 22 December 1989)[62]

Note by the Secretary-General on international conventions and protocols in the field of the environment (General Assembly resolution 3436 (XXX) of 9 December 1975)

Relevant section of the report of the Economic and Social Council on the findings and conclusions of the regional commissions on the traffic in toxic and dangerous products and wastes (General Assembly resolution 44/226 of 22 December 1989, sect. I)

Report of the Secretary-General on the control of transboundary movements of hazardous wastes and their disposal (General Assembly resolution 44/226 of 22 December 1989, sect. III)[62]

Progress report of the Secretary-General on the implementation of the resolution on the implementation of General Assembly resolutions 42/186 and 42/187 of 11 December 1987 (General Assembly resolution 44/227 of 22 December 1989)[62]

Report of the Secretary-General on the implementation of the resolution on possible adverse effects of sea-level rise on islands and coastal areas, particularly low-lying coastal areas (General Assembly resolution 44/206 of 22 December 1989)[62]

Report of the Secretary-General on the implementation of the resolution on large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas (General Assembly resolution 45/197)

(g) *Desertification and drought*

Documentation: Report of the Secretary-General on the situation in countries stricken by desertification and drought in Africa (General Assembly decision 44/437 of 19 December 1989 and Economic and Social Council resolution 1989/103 of 27 July 1989)[62]

Report of the Secretary-General on the implementation of the resolutions on the Plan of Action to Combat Desertification (General Assembly resolutions 44/172 A and B of 19 December 1989)[62]

Report of the Secretary-General on the implementation of the medium-term and long-term recovery and rehabilitation programme in the Sudano-Sahelian region (General Assembly resolutions 3054 (XXVIII) of 17 October 1973 and 40/209 of 17 December 1985)[62]

(h) *Human settlements*

Documentation: Report of the Commission on Human Settlements, including the report of the Commission on the implementation of the Global Strategy for Shelter to the Year 2000 (General Assembly resolutions 32/162 of 19 December 1977, 43/180 and 43/181 of 20 December 1988 and Economic and Social Council resolution 1978/1 of 12 January 1978)[62]

Report of the Secretary-General on the living conditions of the Palestinian people in the occupied Palestinian territory

(General Assembly resolution 44/174 of 19 December 1989)[62]

(i) *Science and technology for development*

Documentation: Report of the Intergovernmental Committee on Science and Technology for Development (General Assembly resolutions 34/218 of 19 December 1979 and 39/217 of 18 December 1984)[62]

(j) *Entrepreneurship*

Documentation: Relevant section of the report of the Director-General for Development and International Economic Co-operation on the operational activities of the United Nations system (General Assembly resolution 45/188)

Item 3. *United Nations Conference on Environment and Development*

Documentation: Report of the Preparatory Committee for the United Nations Conference on Environment and Development (General Assembly resolution 44/228 of 22 December 1989)

Item 4. *Protection of global climate for present and future generations of mankind*

Documentation: Report of the Secretary-General on the progress of the negotiations for the preparation of an effective framework convention on climate change (General Assembly resolution 45/212)

Item 5. *International co-operation for the eradication of poverty in developing countries*

Documentation: Report of the Secretary-General on international co-operation for the eradication of poverty in developing countries (General Assembly resolutions 44/211 and 44/212 of 22 December 1989)

Item 6. *External debt crisis and development*

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/214

Item 7. *Operational activities for development*

(a) *Operational activities of the United Nations system*

Documentation: Report of the Director-General for Development and International Economic Co-operation on the operational activities of the United Nations system (General Assembly resolutions 41/171 of 5 December 1986, 44/171 of 19 December 1989, 44/211 of 22 December 1989 and 45/188)[62]

Draft resolution entitled "Operational activities for development of the United Nations system" (see General Assembly decision 45/448)

(b) *United Nations Development Programme*

Documentation: Report of the Governing Council of the United Nations Development Programme[62]

(c) *United Nations Capital Development Fund*

Documentation: Relevant chapter of the report of the Governing Council of the United Nations Development Programme

(d) *United Nations technical co-operation activities*

Documentation: Report of the Secretary-General on United Nations technical co-operation activities

Relevant chapter of the report of the Governing Council of the United Nations Development Programme

(e) *United Nations Volunteers programme*

Documentation: Relevant chapter of the report of the Governing Council of the United Nations Development Programme

(f) *World Food Programme*

Documentation: Report of the Secretary-General on the participation of the United Nations in the review of the governance arrangements for the World Food Programme (General Assembly resolution 45/218)[62]

Item 8. *International Decade for Natural Disaster Reduction*

Documentation: Report of the Secretary-General on the activities of the International Decade for Natural Disaster Reduction (General Assembly resolutions 44/236 of 22 December 1989 and 45/185)[62]

Item 9. *Special economic and disaster relief assistance*

(a) *Office of the United Nations Disaster Relief Co-ordinator*

Documentation: Report of the Secretary-General on the work of the Office of the United Nations Disaster Relief Co-ordinator (General Assembly resolutions 2816 (XXVI) of 14 December 1971 and 45/221)[62]

(b) *Special programmes of economic assistance*

Documentation: Reports of the Secretary-General on individual countries

Reports of the Secretary-General presenting summary reports on countries with no separate individual reports in that year

Item 10. *International assistance for the economic rehabilitation of Angola*

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/233

Item 11. *Training and research*

United Nations Institute for Training and Research

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/219, including the report of the independent consultant

Item 12. *International co-operation to study, mitigate and minimize the consequences of the disaster at Chernobyl*

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/190[62]

Item 13. *Human resources development*

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/191

Item 14. *Implementation of the commitments and policies agreed upon in the Declaration on International Economic Co-operation, in particular the Revitalization of the Economic Growth and Development of the Developing Countries*

Documentation: Report of the Secretary-General on the steps taken by the Governments of developed and developing countries and by the bodies of the United Nations system to fulfil the commitments and policies agreed upon in the Declaration (General Assembly resolution 45/234)

Item 15. *Industrial development co-operation and the diversification and modernization of productive activities in developing countries*

Documentation: Report of the Secretary-General on ways and means of promoting the enhancement of United Nations activities with regard to the training of scientists, engineers and entrepreneurs from developing countries (General Assembly resolution 45/196, para. 9)

Note by the Secretary-General transmitting the report of the Administrative Committee on Co-ordination on ways and means of fostering United Nations system activities with regard to industrial development co-operation and the diversification and modernization of productive activities in developing countries (General Assembly resolution 45/196, para. 10)

Note by the Secretary-General transmitting the recommendations of the United Nations Industrial Development Organization on strengthening industrial development co-operation and the diversification and modernization of productive activities in developing countries (General Assembly resolution 45/196, para. 11)[62]

Item 16. *Emergency assistance for the economic and social rehabilitation of Liberia*

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/232

1992[63]

Item 1. *Report of the Economic and Social Council*[64]

(a) *Protection against products harmful to health and the environment*

Documentation: Report of the Secretary-General on protection against products harmful to health and the environment (General Assembly resolution 39/229 of 18 December 1984)[62]

(b) *United Nations Population Award*

Documentation: Note by the Secretary-General transmitting the report of the Executive Director of the United Nations Population Fund on the United Nations Population Award and Trust Fund (Council decision 1982/112 of 26 April 1982)

(c) *Restructuring of the economic and social sectors of the United Nations system*

Documentation: Draft resolution entitled "Implementation of section II of the annex to General Assembly resolution 32/197 on the restructuring of the economic and social sectors of the United Nations system" (General Assembly decision 45/436)

Item 2. *Development and international economic co-operation*

Documentation: Report of the Secretary-General on the implementation of General Assembly resolution 45/193 on the support of the international community for the economic and social infrastructure of Yemen[62]

Report of the Secretary-General on the net transfer of resources between developing countries and developed countries (General Assembly resolution 45/192)

(a) *Implementation of the International Development Strategy for the Fourth United Nations Development Decade*

Documentation: Report of the Secretary-General on the implementation of the International Development Strategy for the Fourth United Nations Development Decade (General Assembly resolution 45/199)[62]

(b) *Trade and development*

Documentation: Report of the Trade and Development Board (General Assembly resolution 1995 (XIX) of 30 December 1964)[62]

Note by the Secretary-General transmitting the report of the Secretary-General of the United Nations Conference on Trade and Development on world commodity trends and prospects (General Assembly resolution 45/200)

Report of the Secretary-General on the implementation of General Assembly resolution 45/202 on specific measures in favour of island developing countries

(c) *Food and agricultural development*

Documentation: Report of the World Food Council[62]

(d) *New and renewable sources of energy*

Documentation: Report of the Committee on the Development and Utilization of New and Renewable Sources of Energy (General Assembly resolution 37/250 of 21 December 1982)[62]

Report of the Secretary-General on the implementation of General Assembly resolution 45/208

(e) *Development of the energy resources of developing countries*

Documentation: Report of the Secretary-General on a comprehensive programme of action for the acceleration of the exploration and development of energy resources in developing countries (General Assembly resolution 45/209)[62]

(f) *Implementation of General Assembly resolutions 42/186 and 42/187*

Documentation: Report of the Secretary-General on further substantive follow-up to General Assembly resolutions 42/186 and 42/187 by Governments and organizations of the United Nations system (General Assembly resolution 44/227 of 22 December 1989)

(g) *Co-operation in fisheries in Africa*

Documentation: Report of the Secretary-General on co-operation in fisheries in Africa (General Assembly resolution 45/184)[62]

Item 3. *Operational activities for development*

(a) *Operational activities of the United Nations system*

Documentation: Report of the Director-General for Development and International Economic Co-operation for the comprehensive triennial policy review of operational activities for development undertaken by the United Nations system (General Assembly resolutions 35/81 of 5 December 1980, 41/171 of 5 December 1986, 42/196 of 11 December 1987 and 44/211 of 23 February 1990)[62]

(b) *United Nations Development Programme*

Documentation: Report of the Governing Council of the United Nations Development Programme[62]

(c) *United Nations Population Fund*

Documentation: Relevant chapter of the report of the Governing Council of the United Nations Development Programme

(d) *United Nations Children's Fund*

Documentation: Relevant section of the report of the Economic and Social Council

Report of the Secretary-General on the implementation of General Assembly resolution 45/217[62]

(e) *World Food Programme*

Documentation: Relevant section of the report of the Economic and Social Council

Item 4. *Training and research*

United Nations University

Documentation: Report of the Council of the United Nations University[62]

Item 5. *Special economic and disaster relief assistance*

(a) *Office of the United Nations Disaster Relief Co-ordinator*

Documentation: Report of the Secretary-General on the work of the Office of the United Nations Disaster Relief Co-ordinator (General Assembly resolution 2816 (XXVI) of 14 December 1971 and Economic and Social Council resolution 1990/63 of 26 July 1990)

(b) *Special programmes of economic assistance*

Documentation: Reports of the Secretary-General on individual countries and regions

Report of the Secretary-General presenting summary reports on countries with no separate individual reports in that year

Item 6. *United Nations Conference on Environment and Development*

Documentation: Report of the Conference

45/440. Development and international economic co-operation

At its 71st plenary meeting, on 21 December 1990, the General Assembly took note of part one of the report of the Second Committee.[65]

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[63] The programme of work and documentation list for 1992 will be updated in 1991, taking into account the relevant decisions of the General Assembly at its forty-sixth session.

[64] The list of questions and documentation under this item is only indicative of requests for reports from the General Assembly. The list will be finalized after the Economic and Social Council completes its work in 1992.

[65] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 79, document A/45/849.

45/441. International conference on money and finance for development

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[66] deferred until its forty-sixth session consideration of the draft resolution entitled "International conference on money and finance for development".[67]

45/442. Report of the *Ad Hoc* Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[68] took note of the report of the *Ad Hoc* Committee of the Whole for the Preparation of the International Development Strategy for the Fourth United Nations Development Decade.[69]

45/443. Report of the Secretary-General of the United Nations Conference on Trade and Development on the draft international code of conduct on the transfer of technology

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[70] took note of the report of the Secretary-General of the United Nations Conference on Trade and Development on the international code of conduct on the transfer of technology.[71]

45/444. Strengthening technical co-operation among developing countries in food and agriculture

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[72] having recalled its resolution 43/190 of 20 December 1988 on strengthening technical co-operation among developing countries in food and agriculture, having recognized, *inter alia*, that developing countries have the primary responsibility for promoting technical co-operation among themselves in food and agriculture and that developed countries and the United Nations system should assist and support such activities, having taken note of the Secretary-General's note on economic and technical co-operation among developing countries,[73] the report of the World Food Council on the work of its sixteenth session[74] and other relevant documents, and stressing the importance of this issue, decided:

(*a*) To reiterate its request to the developed countries and the agencies and organizations of the United Nations system, including the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and other international development and financing institutions, to extend assistance to the developing countries in order to enable them to strengthen their technical co-operation with each other in food and agriculture;

(*b*) To request the Secretary-General to include in his report to the General Assembly at its forty-sixth session, to be prepared pursuant to General Assembly resolution 44/222 of 22 December 1989, information on the implementation of the present decision.

45/445. Report of the Secretary-General on the progress achieved in the implementation of resolution 44/207 on protection of global climate for present and future generations of mankind

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[75] took note of the report of the Secretary-General on the progress achieved in the implementation of resolution 44/207 on protection of global climate for present and future generations of mankind.[76]

45/446. Report of the Secretary-General on international co-operation for the eradication of poverty in developing countries

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[77] took note of the report of the Secretary-General on international co-operation for the eradication of poverty in developing countries.[78]

45/447. Establishment of an advisory commission on debt and development

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[79] deferred until the forty-sixth session consideration of the draft decision entitled "Establishment of an advisory commission on debt and development".[80]

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[66] *Ibid.*, document A/45/849/Add.1, para. 43.

[67] See A/C.2/45/L.4. For the printed text of the draft resolution, see *Official Records of the General Assembly, Forty-second Session, Annexes*, agenda item 82, document A/42/821/Add.1, para. 9.

[68] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 79, document A/45/849/Add.2, para. 7.

[69] *Ibid., Forty-fifth Session, Supplement No. 41* (A/45/41).

[70] *Ibid., Forty-fifth Session, Annexes*, agenda item 79, document A/45/849/Add.3, para. 28.

[71] A/45/588.

[72] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 79, document A/45/849/Add.5, para. 13.

[73] A/C.2/44/L.15.

[74] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 19* (A/45/19).

[75] *Ibid.,Forty-fifth Session, Annexes*, agenda item 81, document A/45/851, para. 14.

[76] A/45/696 and Add.1.

[77] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 82, document A/45/852, para. 11.

[78] A/45/398.

[79] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 83, document A/45/853, para. 17.

[80] See A/C.2/45/L.5. For the printed text of the draft decision, see *Official Records of the General Assembly, Forty-third Session, Annexes*, agenda item 83, document A/43/916, para. 16.

45/448. Operational activities for development of the United Nations system

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[81] decided to transmit to the forty-sixth session for consideration the draft resolution entitled "Operational activities for development of the United Nations system".[82]

45/449. Documents relating to operational activities for development

At its 71st plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Second Committee,[81] took note of the following documents:

(*a*) Report of the Director-General for Development and International Economic Co-operation on operational activities for development;[83]

(*b*) Report of the Joint Inspection Unit entitled "Practices and procedures aimed at a more equitable geographical distribution of sources of procurement for technical co-operation projects"[84] and comments of the Administrative Committee on Co-ordination thereon;[85]

(*c*) Report of the Joint Inspection Unit entitled "Evaluation of rural development activities of the United Nations system in three African least developed countries"[86] and comments of the Administrative Committee on Co-ordination thereon;[87]

(*d*) Report of the Joint Inspection Unit entitled "Evaluation of the regional project RLA/79/031: Programme on joint studies on Latin American economic integration"[88] and comments of the Secretary-General thereon;[89]

(*e*) Report of the Administrator of the United Nations Development Programme on the activities of the United Nations Development Fund for Women.[90]

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[81] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 84, document A/45/854, para. 28.

[82] A/C.2/45/L.75. For the printed text of the draft resolution, see *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 84, document A/45/854, para. 22.

[83] See A/45/273-E/1990/85 and Corr.1 and Add.1-5.

[84] See A/44/646.

[85] See A/45/648.

[86] See A/45/76-E/1990/12.

[87] See A/45/76/Add.1-E/1990/12/Add.1.

[88] See A/45/77-E/1990/10.

[89] See A/45/77/Add.1-E/1990/10/Add.1.

[90] See A/45/347.

5. *Decisions adopted on the reports of the Third Committee*

45/427. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

At its 68th plenary meeting, on 14 December 1990, the General Assembly, on the recommendation of the Third Committee,[91] having recalled its resolution 43/124 of 8 December 1988, regarding the impact of property on the enjoyment of human rights and fundamental freedoms, requested the Secretary-General to seek the views of Member States on that resolution and to report thereon to the Assembly at its forty-seventh session.

45/428. Crime prevention and criminal justice

At its 68th plenary meeting, on 14 December 1990, the General Assembly, on the recommendation of the Third Committee,[92] requested the Secretary-General and the United Nations Development Programme to explore, as a matter of urgency, the possibilities for full funding of the African Institute for the Prevention of Crime and the Treatment of Offenders through voluntary contributions and requested the Secretary-General to prepare a report to the General Assembly at its forty-sixth session on the situation of the Institute and all other autonomous institutes of the United Nations, and to include therein, if appropriate, proposals for a balance between voluntary contributions and financing through the regular budget.

45/432. Respect for the will of the people of Myanmar

At its 69th plenary meeting, on 18 December 1990, the General Assembly, on the recommendation of the Third Committee,[93] decided to defer until its forty-sixth session consideration of the draft resolution entitled "Respect for the will of the people of Myanmar".[94]

45/433. United Nations Voluntary Fund for Indigenous Populations

At its 69th plenary meeting, on 18 December 1990, the General Assembly, on the recommendation of the Third Committee,[95] having taken note of the report of the Secretary-General[96] on the status of the United Nations Voluntary Fund for Indigenous Populations, decided to call upon Governments, non-governmental organizations and representatives of indigenous groups to consider contributions to the Fund and to disseminate widely information about the activities of the Fund, and to request the Secretary-General to report to the General Assembly at its forty-seventh session on the status of the Fund.

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[91] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda items 94, 95 and 100, document A/45/750, para. 22.

[92] *Ibid.*, document A/45/756, para. 52.

[93] *Ibid.*, agenda items 89, 93, 97, 105, 106, 109 and 110, document A/45/766, para. 22.

[94] A/C.3/45/L.58. For the printed text of the draft resolution, see *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda items 89, 93, 97, 105, 106, 109 and 110, document A/45/766, para. 12.

[95] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 12, document A/45/838, para. 110.

[96] A/45/698.

45/434. Non-discrimination and protection of minorities

At its 69th plenary meeting, on 18 December 1990, the General Assembly, on the recommendation of the Third Committee,[95] having welcomed the completion at first reading of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities[97] and Economic and Social Council resolution 1990/39 of 25 May 1990, in which the Council requested the Secretary-General to provide the open-ended working group of the Commission on Human Rights with all the assistance it may require for the continuation of its work on the draft declaration, decided to encourage the Commission on Human Rights to complete the final text of the draft declaration as soon as possible and to transmit it to the General Assembly through the Economic and Social Council, and to defer its consideration of the draft resolution entitled "Non-discrimination and protection of minorities"[98] until its forty-sixth session and to continue its discussion of these questions at that time under the item entitled "Report of the Economic and Social Council".

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[97] E/CN.4/1990/41, annex I.

[98] A/C.3/45/L.83. For the printed text of the draft resolution, see *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 12, document A/45/838, para. 77.

6. *Decisions adopted on the reports of the Fourth Committee*

45/406. Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

At its 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the Fourth Committee,[99] adopted the following text:

"1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee entitled 'Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples'[100] and recalling its resolution 1514 (XV) of 14 December 1960 and all other resolutions and decisions of the United Nations relating to military activities in Non-Self-Governing Territories, and conscious that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination, reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration, should be withdrawn and that no further entrenchment should be condoned.

"2. In recalling its resolution 1514 (XV) and all other resolutions and decisions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories, the General Assembly reaffirms its strong conviction that the presence of military bases and installations in the colonial and Non-Self-Governing Territories could constitute a major obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and that it is the responsibility of the administering Powers to ensure that the existence of such bases and installations does not hinder the populations of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations and the Declaration. Furthermore, aware of the presence of military bases and installations of the administering Powers concerned and other countries in those Territories, the Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in Territories under their administration.

"3. The General Assembly reiterates its condemnation of all military activities and arrangements by colonial Powers in Territories under their administration that are detrimental to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the colonial Powers concerned to terminate unconditionally such activities and to eliminate such military bases in compliance with the relevant resolutions of the Assembly, in particular with paragraph 9 of the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in the annex to Assembly resolution 35/118 of 11 December 1980.

"4. The General Assembly reiterates that the colonial Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

"5. The General Assembly notes with serious concern that, in southern Africa in general, a critical situation continues to prevail as a result of South Africa's inhuman repression of the people of South Africa. The Assembly declares that the policy of *apartheid* and destabilization not only undermines the peace and stability of the southern African region but also constitutes a threat to international peace and security.

"6. The General Assembly condemns the continued military, nuclear and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the arms embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977 and poses a threat to international peace and security. The Assembly urges the Council to consider, as a matter of urgency, the report of the Committee established under its resolution 421 (1977) of 9 December 1977[101] and adopt further measures to widen the scope of its resolution 418 (1977) in order to make it more effective and comprehensive. The Assembly also calls for the scrupulous observance of Council resolution 558 (1984) of 13 December 1984 enjoining all States to refrain from importing armaments from South Africa. The Assembly is particularly mindful in that regard of a series of resolutions adopted by the Security Council,[102] the General Assembly, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against *Apartheid,* as well as the Movement of Non-Aligned Countries, the Organization of African Unity, the Commonwealth and a number of intergovernmental and regional organizations.

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[99] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 112, document A/45/681, para. 10.

[100] *Ibid., Forty-fifth Session, Supplement No. 23* (A/45/23), chap. VI.

"7. The General Assembly considers that the acquisition of nuclear-weapon capability by the racist régime of South Africa, with its infamous record of violence and aggression, constitutes a further effort on its part to terrorize and intimidate independent States in the region into submission while also posing a threat to all mankind. The Assembly condemns the continuing support to the racist régime of South Africa in the military and nuclear fields. In this context, the Assembly expresses its concern at the grave consequences for international peace and security of the collaboration between the racist régime of South Africa and certain Western Powers, Israel and other countries in the military and nuclear fields. It calls upon the States concerned to end all such collaboration and, in particular, to halt the supply to South Africa of equipment, technology, nuclear materials and related training, which increases its nuclear capability.

"8. The General Assembly strongly condemns the continuing collaboration of certain countries with the racist régime in the military and nuclear fields and expresses its conviction that such collaboration is in contravention of the arms embargo imposed against South Africa under Security Council resolution 418 (1977) and undermines international solidarity against the *apartheid* régime. The Assembly thus calls for the termination forthwith of all such collaboration.

"9. The General Assembly urges all Governments, the specialized agencies and other intergovernmental organizations to provide increased material assistance to the thousands of refugees who have been forced by the *apartheid* régime's oppressive policies in South Africa to flee into the neighbouring States and for the purpose of resettlement of those who are returning.

"10. The General Assembly deprecates the continued alienation of land in colonial Territories for military installations. The large-scale utilization of local economic and manpower resources for this purpose diverts resources that could be more beneficially utilized in promoting the economic development of the Territories concerned and is thus contrary to the interests of their populations.

"11. The General Assembly requests the Secretary-General to continue, through the Department of Public Information of the Secretariat, an intensified campaign of publicity with a view to informing world public opinion of the facts concerning the military activities and arrangements in colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV).

"12. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the Assembly at its forty-sixth session."

45/407. Question of Gibraltar

At its 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the Fourth Committee,[103] adopted the following text as representing the consensus of the members of the Assembly:

"The General Assembly, recalling its decision 44/426 of 11 December 1989 and recalling at the same time that the statement agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland at Brussels on 27 November 1989,[104] stipulates, *inter alia,* the following:

> 'The establishment of a negotiating process aimed at overcoming all the differences between them over Gibraltar and at promoting co-operation on a mutually beneficial basis on economic, cultural, touristic, aviation, military and environmental matters. Both sides accept that the issues of sovereignty will be discussed in that process. The British Government will fully maintain its commitment to honour the wishes of the people of Gibraltar as set out in the preamble of the 1969 Constitution',

takes note of the fact that, as part of this process, the Ministers for Foreign Affairs have held annual meetings alternatively in each capital, and urges both Governments to continue their negotiations with the object of reaching a definitive solution to the problem of Gibraltar in the light of relevant resolutions of the General Assembly and in the spirit of the Charter of the United Nations."

45/408. Question of Pitcairn

At its 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the

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[101] *Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980,* document S/14179.

[102] Security Council resolutions 567 (1985) of 20 June 1985, 568 (1985) of 21 June 1985, 571 (1985) of 20 September 1985, 574 (1985) of 7 October 1985, 577 (1985) of 6 December 1985, 580 (1985) of 30 December 1985, 581 (1986) of 13 February 1986, 602 (1987) of 25 November 1987 and 606 (1987) of 23 December 1987.

[103] *Official Records of the General Assembly, Forty-fifth Session, Annexes,* agenda item 18, document A/45/685, para. 25.

[104] A/39/732, annex.

Fourth Committee,[103] adopted the following text as representing the consensus of members of the Assembly:

"The General Assembly, having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[105] reaffirms the inalienable right of the people of Pitcairn to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, which fully applies to the Territory. The Assembly further reaffirms the responsibility of the administering Power to promote the economic and social development of the Territory. The Assembly urges the administering Power to continue to respect the very individual life-style that the people of the Territory have chosen and to preserve, promote and protect it. The Assembly requests the Special Committee to continue to examine the question at its next session and to report thereon to the Assembly at its forty-sixth session."

45/409. Question of St. Helena

At its 44th plenary meeting, on 20 November 1990, the General Assembly, on the recommendation of the Fourth Committee,[106] having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[107] reaffirmed the inalienable right of the people of St. Helena to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960. The Assembly urged the administering Power, in consultation with the Legislative Council and other representatives of the people of St. Helena, to continue to take all necessary steps to ensure the speedy implementation of the Declaration in respect of the Territory and, in that connection, reaffirmed the importance of promoting an awareness among the people of St. Helena of the possibilities open to them in the exercise of their right to self-determination. The Assembly reaffirmed the responsibility of the administering Power to promote the economic and social development of the Territory and called upon the administering Power to continue, in co-operation with the territorial Government, to strengthen the economy and to increase its assistance to diversification programmes. The Assembly urged the administering Power, in co-operation with the territorial Government, to continue to take effective measures to safeguard and guarantee the inalienable right of the people of St. Helena to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources. The Assembly expressed the view that the administering Power should continue to implement infrastructure and community development projects aimed at improving the general welfare of the community, including the unemployment situation, and to encourage local initiative and enterprise, particularly in the areas of fisheries development, forestry, handicrafts and agriculture. The Assembly, in view of the serious developments in South Africa, noted with concern the trade and transportation dependency of the Territory on South Africa. The Assembly reaffirmed that continued development assistance from the administering Power, together with any assistance that the international community might be able to provide, constitutes an important means of developing the economic potential of the Territory and of enhancing the capacity of its people to realize fully the goals set forth in the relevant provisions of the Charter of the United Nations. The Assembly, in that connection, welcomed the assistance rendered by the United Nations Development Programme and invited other organizations of the United Nations system to assist in the development of the Territory. The Assembly noted with deep concern the continued presence of military facilities on the dependency of Ascension Island and, in that regard, recalled all United Nations resolutions and decisions concerning military bases and installations in colonial and Non-Self-Governing Territories. The Assembly urged the administering Power to take all the necessary measures not to involve the Territory in any offensive acts or interference against neighbouring States by the racist régime of South Africa. The Assembly considered that the possibility of dispatching a United Nations visiting mission to St. Helena at an appropriate time should be kept under review, and requested the Special Committee to continue to examine the question of St. Helena at its next session and to report thereon to the Assembly at its forty-sixth session.

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[105] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 23* (A/45/23), chap. IX.

[106] *Ibid., Forty-fifth Session, Annexes*, agenda item 18, document A/45/685, para. 26.

[107] *Ibid., Forty-fifth Session, Supplement No. 23* (A/45/23), chaps. IV and IX.

7. *Decisions adopted on the reports of the Fifth Committee*

45/450. Administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee:[108]

(*a*) Took note with appreciation of the report of the Advisory Committee on Administrative and Budgetary Questions on the administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency;[109]

(*b*) Invited the Advisory Committee to continue its consideration of administrative and budgetary issues relevant to more effective co-ordination among the organizations and programmes of the United Nations system and, in the light of the introductory statement of the Chairman of the Advisory Committee,[110] welcomed the intention of the Committee to ensure that statistical information submitted to the General Assembly was timely and to increase its efforts to report on specific matters of system-wide concern, such as conference services, procurement and agency support costs;

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[108] *Ibid., Forty-fifth Session, Annexes*, agenda item 122, document A/45/885, para. 6.

[109] A/45/798.

(*c*) Approved the conclusions and recommendations, contained in the report of the Chairmen of the Committee for Programme and Co-ordination and the Administrative Committee on Co-ordination on the twenty-fifth series of joint meetings of the two Committees,[111] on the improvement of co-ordination in the United Nations system;

(*d*) Urged the organizations of the United Nations system to lend their full support to the Administrative Committee on Co-ordination for the improvement of the analytical content and forward-looking character of the annual overview report of the Administrative Committee on Co-ordination;

(*e*) Took note with appreciation of the report of the Joint Inspection Unit on budgeting in organizations of the United Nations system[112] and of the comments of the Administrative Committee on Co-ordination thereon;[113]

(*f*) Requested the Joint Inpection Unit to continue its work on budgeting techniques and practices in the United Nations system and to update periodically the comparative tables provided in volume II of its report.

45/451. Printing requirements of the United Nations

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[114] recommended that the current policies and practices of the United Nations should be continued so that maximum use would be made of internal printing capacities established to meet peak requirements for the production of parliamentary documentation at major conference centres, including the regional commissions, and that use of external printing services should be carefully controlled so as to ensure that such services would be procured on the most economic and efficient basis.

45/452. Amendments to the Staff Rules

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[115] having noted the need periodically to review the Staff Rules and annually to report to the Assembly the full text of provisional staff rules and amendments, took note of the report of the Secretary-General on amendments to the Staff Rules.[116]

45/453. Report of the Economic and Social Council

At its 72nd plenary meeting, on 21 December 1990, the General Assembly, on the recommendation of the Fifth Committee,[117] took note of chapters I, III (section B) and VI (sections B and C) of the report of the Economic and Social Council.[54]

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[110] See *Official Records of the General Assembly, Forty-fifth Session, Fifth Committee*, 40th meeting, and corrigendum.

[111] E/1990/123.

[112] See A/45/130.

[113] A/45/130/Add.1, annex.

[114] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 124, document A/45/879, para. 8.

[115] *Ibid.*, agenda item 126, document A/45/898, para. 16.

[116] A/C.5/45/18.

[117] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 12, document A/45/886, para. 4.

8. *Decisions adopted on the reports of the Sixth Committee*

45/412. Peaceful settlement of disputes between States

At its 48th plenary meeting, on 28 November 1990, the General Assembly, on the recommendation of the Sixth Committee,[118] having considered the item entitled "Peaceful settlement of disputes between States", took note of the report of the Secretary-General on the item,[119] and decided that the question of the peaceful settlement of disputes between States should be examined within the framework of the programme for the United Nations Decade of International Law and in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, as appropriate.

45/413. United Nations rules for the conciliation of disputes between States

At its 48th plenary meeting, on 28 November 1990, the General Assembly, on the recommendation of the Sixth Committee,[120] having taken into account the document relating to the draft conciliation rules of the United Nations[121] submitted to the General Assembly at its forty-fifth session, decided:

(*a*) To request the Secretary-General to circulate that document, together with the amendments submitted during the forty-fifth session,[122] to all Member States, organs and competent specialized agencies of the United Nations, regional intergovernmental organizations and international legal bodies interested in the draft conciliation rules and to invite them to send to him their observations, comments and suggestions thereon;

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[118] *Ibid.*, agenda item 139, document A/45/734, para. 8.

[119] A/45/436 and Add.1

[120] *Official Records of the General Assembly, Forty-fifth Session, Annexes*, agenda item 147, document A/45/742, para. 8.

[121] *Ibid.*, document A/45/143 and Corr.1.

[122] A/C.6/45/L.2.

(*b*) Also to request the Secretary-General to submit to the General Assembly at its forty-sixth session a report containing the replies received;

(*c*) That the question of the rules for the conciliation of disputes between States should be examined as part of the programme of the United Nations Decade of International Law and in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, as appropriate.

ANNEX I

COMPOSITION OF ORGANS

This list provides a reference to the composition of the Security Council, the Economic and Social Council, the Trusteeship Council and the International Court of Justice, and of organs established by the General Assembly. The composition of an organ will be found in the volume of resolutions and decisions for the session indicated on the page of that volume given in the right-hand column.

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Commission against *Apartheid* in Sports[e]		
Committee against Torture[f]		
Committee for Programme and Co-ordination	45, vol. I	375
Committee for the United Nations Population Award[g]	36	135
Committee of Trustees of the United Nations Fund for South Africa	20	18
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Committee on Conferences	45, vol. I	376
Committee on Contributions	45, vol. I	378
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[a] See also resolution 40/159.

[b] See *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 29* (A/45/29), para. 3.

[c] See also decisions 36/424 and 39/430.

[d] See also A/39/662, para. 1.

[e] Established in accordance with article 11 of the International Convention against *Apartheid* in Sports (resolution 40/64 G, annex). For the composition of the Commission, see *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 45* (A/45/45), para. 3.

[f] Established in accordance with article 17 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see resolution 39/46, annex). For the composition of the Committee, see *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 44* and corrigendum (A/45/44 and Corr.1), annex II.

[g] See also *Official Records of the Economic and Social Council, 1982, Plenary Meetings*, vol. II (E/1982/SR.30-58), 54th meeting, para. 57; and Economic and Social Council decisions 1988/150 and 1988/176.

[h] Composed of the Member States represented on the General Committee of the General Assembly at the forty-fifth session (see sect. X.A, decisions 45/302, 45/303 and 45/304).

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Committee on the Elimination of Discrimination against Women[i]		
Committee on the Elimination of Racial Discrimination[j]		
Committee on the Exercise of the Inalienable Rights of the Palestinian People	45, vol. I	376
Committee on the Peaceful Uses of Outer Space[k]	35	89
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	45, vol. I	270
Committee on the Rights of the Child	44, vol. I	172
Conference on Disarmament[l]	S-10	15
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Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations	41	275
Special Committee on Peace-keeping Operations	45, vol. I	380
Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	45, vol. I	375

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[i] Established in accordance with article 17 of the Convention on the Elimination of All Forms of Discrimination against Women (see resolution 34/180). For the composition of the Committee, see *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38* and corrigendum (A/45/38 and Corr.1), annex III.

[j] Established in accordance with article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination (see resolution 2106 A (XX)). For the composition of the Committee, see *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 18* (A/45/18), sect. I.C.

[k] See also *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 20* (A/45/20), para. 5.

[l] Previously known as the Committee on Disarmament (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27* and corrigendum (A/38/27 and Corr.1), para. 21).

[m] See sect. X.A, decisions 45/302, 45/303 and 45/304.

[n] See also *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 39* (A/44/39), sect. II.B.

[o] *Ibid., Thirty-first Session, Supplement No. 37* (A/31/37), para. 3.

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[p] See also sect. IV, resolution 44/48A, para. 25.

[q] See also *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 15* (A/45/15), para. 6.

[r] See also *Official Records of the Security Council, Forty-fourth Year, Special Supplement No. 1*, part I, para. 1.

[s] See also resolution 1344 (XIII).

ANNEX II

CONVENTIONS, DECLARATIONS AND OTHER INSTRUMENTS

This list provides a reference to the conventions, declarations and other instruments the texts of which appear in the volumes of resolutions and decisions.

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Agreement between the United Nations and the World Intellectual Property Organization	3346 (XXIX)
Agreement Governing the Activities of States on the Moon and Other Celestial Bodies	34/68
Agreement on Co-operation and Relationships between the United Nations and the World Tourism Organization	32/156
Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space	2345 (XXII)
Basic Principles for the Treatment of Prisoners	45/111
Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment	43/173
Charter of Economic Rights and Duties of States	3281 (XXIX)
Code of Conduct for Law Enforcement Officials	34/169
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	39/46
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	317 (IV)
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	1763 A (XVII)
Convention on International Liability for Damage Caused by Space Objects	2777 (XXVI)
Convention on Registration of Objects Launched into Outer Space	3235 (XXIX)
Convention on Special Missions and Optional Protocol concerning the Compulsory Settlement of Disputes	2530 (XXIV)
Convention on the Elimination of All Forms of Discrimination against Women	34/180
Convention on the International Right of Correction	630 (VII)
Convention on the Nationality of Married Women	1040 (XI)
Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity	2391 (XXIII)
Convention on the Political Rights of Women	640 (VII)
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents	3166 (XXVIII)
Convention on the Prevention and Punishment of the Crime of Genocide	260 A (III)
Convention on the Privileges and Immunities of the Specialized Agencies	179 (II)
Convention on the Privileges and Immunities of the United Nations	22 A (I)
Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques	31/72
Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction	2826 (XXVI)
Convention on the Rights of the Child	44/25
Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power	40/34
Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space	1962 (XVIII)

Title	*Resolution No.*
Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction	2749 (XXV)
Declaration of the Indian Ocean as a Zone of Peace	2832 (XXVI)
Declaration of the 1980s as the Second Disarmament Decade	35/46
Declaration of the 1990s as the Third Disarmament Decade	45/62 A
Declaration of the Rights of the Child	1386 (XIV)
Declaration on *Apartheid* and its Destructive Consequences in Southern Africa	S-16/1
Declaration on International Co-operation for Disarmament	34/88
Declaration on International Economic Co-operation, in particular the Revitalization of Economic Growth and Development of the Developing Countries	S-18/3
Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations	2625 (XXV)
Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally	41/85
Declaration on Social Progress and Development	2542 (XXIV)
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Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind	3384 (XXX)
Definition of Aggression	3314 (XXIX)
International Convention against *Apartheid* in Sports	40/64 G

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International Convention against the Recruitment, Use, Financing and Training of Mercenaries	44/34
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International Convention on the Elimination of All Forms of Racial Discrimination	2106 A (XX)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	45/158
International Convention on the Suppression and Punishment of the Crime of *Apartheid*	3068 (XXVIII)
International Covenant on Civil and Political Rights and Optional Protocol	2200 A (XXI)
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Model Treaty on the Transfer of Proceedings in Criminal Matters	45/118
Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released	45/119
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Principles that should govern further actions of States in the field of the freezing and reduction of military budgets	44/114 A
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Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies	2222 (XXI)
Treaty on the Non-Proliferation of Nuclear Weapons	2373 (XXII)
Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and the Subsoil Thereof	2660 (XXV)
United Nations Convention on International Bills of Exchange and International Promissory Notes	43/165
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ANNEX III

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155.	Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament .	Resolution 45/66	82

ANNEX IV

CHECK-LIST OF RESOLUTIONS AND DECISIONS

This check-list includes the resolutions and decisions adopted by the General Assembly from 18 September to 21 December 1990. The column "Voting result" indicates the number of votes in favour, the number of votes against and the number of abstentions for those resolutions and decisions which were adopted by a formal vote. Unless otherwise indicated, all the votes were recorded votes. The details of the voting, which are available only for recorded votes, appear in the verbatim record of the relevant plenary meeting (see *Official Records of the General Assembly, Forty-fifth Session, Plenary Meetings*); a complete tabulation of those results by Member State will be found in the annex to the *Index to Proceedings of the General Assembly* (ST/LIB/SER.B/A.47, Part I).

RESOLUTIONS

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45/2	Electoral assistance to Haiti	154	29th	10 October 1990		12
45/3	The situation in Cambodia	32	30th	15 October 1990		12
45/4	Co-operation between the United Nations and the Asian-African Legal Consultative Committee	20	31st	16 October 1990		13
45/5	Co-operation between the United Nations and the Latin American Economic System	24	31st	16 October 1990		14
45/6	Observer status for the International Committee of the Red Cross, in consideration of the special role and mandates conferred upon it by the Geneva Conventions of 12 August 1949	149	31st	16 October 1990		15
45/7	Report of the International Atomic Energy Agency	14	33rd	23 October 1990		15
45/8	Tenth anniversary of the University for Peace	150	34th	24 October 1990		15
45/9	Co-operation between the United Nations and the Organization of the Islamic Conference	26	35th	25 October 1990		16
45/10	Co-operation between the United Nations and the Organization of American States	21	35th	25 October 1990		17
45/11	Question of the Comorian island of Mayotte	27	36th	1 November 1990	118-1-30	18
45/12	The situation in Afghanistan and its implications for international peace and security	29	37th	7 November 1990		19
45/13	Co-operation between the United Nations and the Organization of African Unity	30	37th	7 November 1990		20
45/14	Implementation of the Declaration on the Right of Peoples to Peace	22	37th	7 November 1990		22
45/15	The situation in Central America: threats to international peace and security and peace initiatives	28	43rd	20 November 1990		22
45/16	Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations	111	44th	20 November 1990	145-0-3	295
45/17	Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, *apartheid* and racial discrimination in southern Africa	112	44th	20 November 1990	113-11-24	296
45/18	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations	113 and 12	44th	20 November 1990	115-12-20	298
45/19	United Nations Educational and Training Programme for Southern Africa	114	44th	20 November 1990		300
45/20	Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories	115	44th	20 November 1990		301
45/21	Question of Western Sahara	18	44th	20 November 1990		301
45/22	Question of New Caledonia	18	44th	20 November 1990		302

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45/25	Question of the British Virgin Islands	18	44th	20 November 1990		305
45/26	Question of the Cayman Islands	18	44th	20 November 1990		306
45/27	Question of Montserrat	18	44th	20 November 1990		307
45/28	Question of the Turks and Caicos Islands	18	44th	20 November 1990		308
45/29	Question of Tokelau	18	44th	20 November 1990		310
45/30	Question of American Samoa	18	44th	20 November 1990		311
45/31	Question of the United States Virgin Islands	18	44th	20 November 1990		312
45/32	Question of Guam	18	44th	20 November 1990	110-3-31	314
45/33	Thirtieth Anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples	18	44th	20 November 1990	124-2-21	24
45/34	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	18	44th	20 November 1990	131-2-15	26
45/35	Dissemination of information on decolonization	18	44th	20 November 1990	133-2-14	28
45/36	Zone of peace and co-operation of the South Atlantic	31	47th	27 November 1990	150-1-1	29
45/37	Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States	135	48th	28 November 1990	116-9-26	359
45/38	Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts	136	48th	28 November 1990		360
45/39	Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives	137	48th	28 November 1990	148-1-0	360
45/40	United Nations Decade of International Law	138	48th	28 November 1990		361
45/41	Report of the International Law Commission on the work of its forty-second session	140 and 142	48th	28 November 1990		363
45/42	Report of the United Nations Commission on International Trade Law on the work of its twenty-third session	141	48th	28 November 1990		365
45/43	Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto	143	48th	28 November 1990		365
45/44	Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	144	48th	28 November 1990	147-0-1	366
45/45	Rationalization of existing United Nations procedures	144	48th	28 November 1990	149-0-1	366
45/46	Report of the Committee on Relations with the Host Country	145	48th	28 November 1990		367
45/47	Additional protocol on consular functions to the Vienna Convention on Consular Relations	146	48th	28 November 1990		368
45/48	Implementation of General Assembly resolution 44/104 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)	45	54th	4 December 1990	141-0-3	50
45/49	Cessation of all nuclear-test explosions	46	54th	4 December 1990	127-3-17	51
45/50	Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water	47	54th	4 December 1990	116-2-28	52
45/51	Urgent need for a comprehensive nuclear-test-ban treaty	48	54th	4 December 1990	140-2-6	52
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45/54	Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons	52	54th	4 December 1990	145-0-3	55
45/55	Prevention of an arms race in outer space					
	A. Prevention of an arms race in outer space	53	54th	4 December 1990	149-0-1	56
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45/57	Chemical and bacteriological (biological) weapons					
	A. Chemical and bacteriological (biological) weapons	55	54th	4 December 1990		60

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	C. Chemical and bacteriological (biological) weapons: measures to uphold the authority of the 1925 Geneva Protocol	55	54th	4 December 1990		62
45/58	General and complete disarmament					
	A. Relationship between disarmament and development	56 (*h*)	54th	4 December 1990		62
	B. Bilateral nuclear-arms negotiations	56	54th	4 December 1990	131-0-22	63
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	D. Nuclear disarmament	56 (*e*)	54th	4 December 1990		64
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	F. Prohibition of the development, production, stockpiling and use of radiological weapons	56 (*c*)	54th	4 December 1990		65
	G. Conventional disarmament	56 (*d*)	54th	4 December 1990		65
	H. Bilateral nuclear-arms negotiations	56	54th	4 December 1990	99-0-50	66
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	K. Prohibition of the dumping of radioactive wastes	56 (*m*)	54th	4 December 1990	144-0-9	67
	L. Prohibition of the production of fissionable material for weapons purposes	56 (*q*)	54th	4 December 1990	146-1-6	68
	M. Regional disarmament, including confidence-building measures	56 (*n*)	54th	4 December 1990		68
	N. Charting potential uses of resources allocated to military activities for civilian endeavours to protect the environment	56	54th	4 December 1990	138-3-12	69
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45/59	Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly					
	A. United Nations disarmament fellowship, training and advisory services programme	57 (*d*)	54th	4 December 1990		70
	B. Convention on the Prohibition of the Use of Nuclear Weapons	57 (*b*)	54th	4 December 1990	125-17-10	71
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	D. Nuclear-arms freeze	57 (*c*)	54th	4 December 1990	126-14-12	72
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45/60	Scientific and technological developments and their impact on international security	58	54th	4 December 1990	133-3-16	74
45/61	Science and technology for disarmament	59	54th	4 December 1990		74
45/62	Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session					
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	B. Report of the Disarmament Commission	60 (*a*)	54th	4 December 1990		76
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	D. Report of the Conference on Disarmament	60 (*b*)	54th	4 December 1990	128-8-16	77
	E. Comprehensive Programme of Disarmament	60	54th	4 December 1990	123-6-22	78
	F. Implementation of the guidelines for appropriate types of confidence-building measures	60 (*g*)	54th	4 December 1990		78
	G. Tenth anniversary of the United Nations Institute for Disarmament Research	60 (*e*)	54th	4 December 1990		79
45/63	Israeli nuclear armament	62	54th	4 December 1990	98-2-50	80
45/64	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects	64	54th	4 December 1990		80

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45/66	Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons	155	54th	4 December 1990		82
45/67	Question of Palestine					
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	Resolution C	23	59th	6 December 1990	124-2-20	31
45/68	International Peace Conference on the Middle East	23	59th	6 December 1990	144-2-0	31
45/69	The uprising (*intifadah*) of the Palestinian people	23	59th	6 December 1990	141-2-3	32
45/70	Science and peace	71	65th	11 December 1990		89
45/71	Effects of atomic radiation	72	65th	11 December 1990		90
45/72	International co-operation in the peaceful uses of outer space	73	65th	11 December 1990		91
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	B. Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East	74	65th	11 December 1990		94
	C. Assistance to persons displaced as a result of the June 1967 and subsequent hostilities	74	65th	11 December 1990		94
	D. Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees	74	65th	11 December 1990	146-0-1	94
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	G. Return of population and refugees displaced since 1967	74	65th	11 December 1990	121-2-24	96
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	J. University of Jerusalem "Al-Quds" for Palestine refugees	74	65th	11 December 1990	145-2-0	98
	K. Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory	74	65th	11 December 1990	145-2-0	98
45/74	Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories					
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	Resolution F	75	65th	11 December 1990	144-1-2	103
	Resolution G	75	65th	11 December 1990	145-2-0	103
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45/76	Questions relating to information					
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45/77	Implementation of the Declaration of the Indian Ocean as a Zone of Peace	61	66th	12 December 1990	128-4-17	82
45/78	Question of Antarctica					
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	Resolution B	67	66th	12 December 1990	107-0-7*	85
45/79	Strengthening of security and co-operation in the Mediterranean region	68	66th	12 December 1990		85
45/80	Review of the implementation of the Declaration on the Strengthening of International Security	69	66th	12 December 1990	123-1-29	86
45/81	Implementation of the Declaration on the Preparation of Societies for Life in Peace	70	66th	12 December 1990		88

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	Resolution C	35	67th	13 December 1990	145-1-4	37
45/84	Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa	88	68th	14 December 1990	120-9-22	169
45/85	Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights	89	68th	14 December 1990		170
45/86	Achievement of social justice	90	68th	14 December 1990		172
45/87	World social situation	90	68th	14 December 1990	146-1-4	172
45/88	Report of the Committee on the Elimination of Racial Discrimination	91	68th	14 December 1990		173
45/89	Status of the International Convention on the Elimination of All Forms of Racial Discrimination	91	68th	14 December 1990		174
45/90	Status of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*	91	68th	14 December 1990	120-1-30	175
45/91	Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons	92	68th	14 December 1990		175
45/92	Human rights and scientific and technological developments	93	68th	14 December 1990		177
45/93	Human rights and scientific and technological developments	93	68th	14 December 1990		177
45/94	Need to ensure a healthy environment for the well-being of individuals	93	68th	14 December 1990		178
45/95	Guidelines for the regulation of computerized personal data files	93	68th	14 December 1990		178
45/96	Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms	94	68th	14 December 1990	121-1-29	179
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45/99	Development of public information activities in the field of human rights	94	68th	14 December 1990		182
45/100	Humanitarian assistance to victims of natural disasters and similar emergency situations	95	68th	14 December 1990		183
45/101	New international humanitarian order	95	68th	14 December 1990		184
45/102	Promotion of international co-operation in the humanitarian field	95	68th	14 December 1990		184
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45/104	Convention on the Rights of the Child	97	68th	14 December 1990		186
45/105	Second Decade to Combat Racism and Racial Discrimination	98	68th	14 December 1990		187
45/106	Implementation of the International Plan of Action on Aging and related activities	99	68th	14 December 1990		189
45/107	International co-operation for crime prevention and criminal justice in the context of development	100	68th	14 December 1990		190
45/108	Review of the functioning and programme of work of the United Nations in crime prevention and criminal justice	100	68th	14 December 1990		193
45/109	Computerization of criminal justice	100	68th	14 December 1990		194
45/110	United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)	100	68th	14 December 1990		195
45/111	Basic Principles for the Treatment of Prisoners	100	68th	14 December 1990		199
45/112	United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)	100	68th	14 December 1990		200
45/113	United Nations Rules for the Protection of Juveniles Deprived of their Liberty	100	68th	14 December 1990		204
45/114	Domestic violence	100	68th	14 December 1990		209
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45/121	Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	100	68th	14 December 1990		223
45/122	Criminal justice education	100	68th	14 December 1990		225
45/123	International co-operation in combating organized crime	100	68th	14 December 1990		227
45/124	Convention on the Elimination of All Forms of Discrimination against Women	101	68th	14 December 1990		227
45/125	Improvement of the status of women in the Secretariat	102	68th	14 December 1990		229
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45/131	Universal realization of the right of peoples to self-determination	103	68th	14 December 1990		237
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45/136	Elimination of all forms of religious intolerance	106	68th	14 December 1990		241
45/137	International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa	107	68th	14 December 1990		243
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45/156	Assistance to voluntary returnees and displaced persons in Chad	12	69th	18 December 1990		260
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45/158	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	12	69th	18 December 1990		261
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45/163	Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity	12	69th	18 December 1990		276
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45/172	Situation of human rights and fundamental freedoms in El Salvador	12	69th	18 December 1990		284
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45/182	Special high-level meeting of the Economic and Social Council with ministerial participation	12	71st	21 December 1990		111
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45/185	International Decade for Natural Disaster Reduction	12	71st	21 December 1990		113
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45/303	Elections of the Chairmen of the Main Committees	5	2nd	18 September 1990		372
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45/308	Election of eighteen members of the Economic and Social Council	15 (*b*)	41st and 46th	16 and 21 November 1990		374
45/309	Election of twelve members of the World Food Council	16 (*a*)	47th	27 November 1990		374
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